

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 19/12/13 AT 9.00 AM**

Attendance

Crs David Wright (Mayor - in the chair), Jeff Johnson, Sharon Cadwallader, 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 Sandra Bailey (Secretary) were in attendance.

There were 17 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Councillors and staff.

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

An apology was received from Cr Keith Johnson.

191213/1 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That such apology be accepted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Johnson

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4. Confirmation of Minutes

191213/2 RESOLVED

(Cr Ben Smith/Cr Paul Worth)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 November 2013.

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

5. Declarations of Interest and Reportable Political Donations

Cr Paul Worth – declared an interest in Item 10.5 – Building Better Regional Cities Program – Rebate Expansion. (Nature of Interest: a perceived pecuniary interest – he owns land in the Wollongbar Urban Expansion area that is subject to the BBRC funding). He will be departing the meeting while the matter is discussed.

There were no reportable political donations.

6. Deputations

- **Malcolm Milner** – spoke in favour of Item 13.2 – Notice of Motion – Lake Ainsworth Management Plan.

Deputation - Extension

191213/3 RESOLVED

(Cr Jeff Johnson/Cr Sharon Cadwallader)

That Mr Milner be granted an extension of time for his deputation.

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

- **Alan Brown** – spoke in opposition to Item 11.1 – Pedestrian Access and Mobility Plan – Review.
- **Alan Brown** – spoke in opposition to Item 11.2 – Coastline Shared Path and Recreational Walk – Funding Allocation.
- **Lorraine Vass, Friends of the Koala** – spoke in favour of Item 9.1 – Koala Habitat Study and Plan of Management.

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- **Peter Carmont, Ballina Chamber of Commerce & Industry** – spoke in opposition to Item 9.2 – Festival and Event Funding Program – 2014/15.
- **Peter Carmont, Ballina Chamber of Commerce & Industry** – spoke in favour of Item 13.1 – Notice of Motion – Adaptable Housing Provisions in Council’s DCP.

6.2 Additional Deputation

191213/4 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

That Mr Carmont be permitted a third deputation.

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

AGAINST VOTE - Cr Paul Worth

ABSENT. DID NOT VOTE - Cr Keith Johnson

- **Peter Carmont, Ballina Chamber of Commerce & Industry** – spoke in favour of Item 13.3 – Notice of Motion – 2014 Country and Regional Living Expo.
- **Ralph Moss** – spoke in opposition to Item 8.1 – DA 2010/962 – Highway Service Centre – Section 96 Amendment.
- **Steve Connelly** – spoke in favour of Item 8.1 – DA 2010/962 – Highway Service Centre – Section 96 Amendment.

7. Mayoral Minutes

Nil

11.2 Coastline Shared Path and Recreational Walk - Funding Allocation

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

1. Council authorises the General Manager to commence the construction of Stages 1 and 2 of the Shared Path (Coastline Cycleway) project, as detailed within this report, to take advantage of grant funding and the impending approval for this component of the overall project.
2. Council notes that following development consent and detail design completion, a further report will be presented to Council for the purpose of Council determining its preferred staging program for the remaining elements of the Shared Path (Coastline Cycleway) and Recreational Path projects.

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An **Amendment** was moved by Cr Ben Smith and seconded by Cr Paul Worth.

That Council hold a Councillor briefing on this matter in January 2014.

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

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

The **Motion** was **CARRIED**.

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

191213/5 RESOLVED

(Cr Jeff Johnson/Cr Keith Williams)

1. Council authorises the General Manager to commence the construction of Stages 1 and 2 of the Shared Path (Coastline Cycleway) project, as detailed within this report, to take advantage of grant funding and the impending approval for this component of the overall project.
2. Council notes that following development consent and detail design completion, a further report will be presented to Council for the purpose of Council determining its preferred staging program for the remaining elements of the Shared Path (Coastline Cycleway) and Recreational Path projects.

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

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10.3 Recognition of Long Serving Employees

191213/6 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council acknowledges and congratulates the staff members outlined in this report on their service with Council.

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

Adjournment

The Mayor declared the meeting adjourned at 10.45 am

The Meeting resumed at 11.15 am

9. Strategic and Community Facilities Group Reports

9.1 Koala Habitat Study and Plan of Management

191213/7 RESOLVED

(Cr Paul Worth/Cr Susan Meehan)

1. That Council notes the contents of this report on the Ballina Shire Koala Habitat Study, along with the next steps for the preparation of a Comprehensive Koala Plan of Management for Ballina Shire.
2. That Council provide a copy of the Ballina Shire Koala Habitat Study to Roads and Maritime Services and other relevant agencies for consideration in planning the Woolgoolga to Ballina Pacific Highway Upgrade project, and seeks the Services' examination of mitigation options having regard for the study findings.

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

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

That Council write to the RMS, the Member for Ballina, Don Page MP and other relevant authorities with a view to encouraging the RMS to avoid the Blackwall Range in any proposed routes for the Pacific Highway upgrade.

The **Motion LAPSED**.

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8. Development and Environmental Health Group Reports

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

191213/8 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council defer this matter so that Councillors can hold a briefing with BMT WBM and Council staff.

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

13.1 Notice of Motion - Adaptable Housing Provisions in Council's DCP

191213/9 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council receive a report on the implications of existing Adaptable Housing Provisions in Council's Development Control Plan in relation to unit development in Ballina Shire.

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

AGAINST VOTE - Cr Paul Worth
ABSENT. DID NOT VOTE - Cr Keith Johnson

Adjournment

The Mayor declared the meeting adjourned at 12.05 pm

The Meeting resumed at 12.08 pm

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9.2 Festival and Event Funding Program - 2014/15

A **Motion** was moved by Cr Robyn Hordern

1. That Council confirms that it will not be conducting an expression of interest process for the 2014/15 Festivals and Events funding program, with the funding to be allocated as follows:

Event	Funding for 2014/15 (\$)
Ballina Fine Food & Wine Affair	5,000
Ballina Coastal Country Music Festival	20,000
Country Fair	5,000
Skullcandy Oz Grom Open	10,000
Ballina Boat & Leisure Show	3,000
Lennox Head Carols	5,000
Riverside Carols, Ballina	5,000
Alstonville New Years Eve	15,000
Ballina Prawn Festival	25,000
TOTAL	93,000

2. As Council's long term financial plan only provides \$60,000 in 2014/15 for the Festivals and Events program, the following budgets are to be amended in that plan to finance the increased allocation for this program:

- Civic Functions – reduce by \$1,000 to revised budget of \$7,000
- Community donations – reduced by \$27,000 to \$40,000
- SCU Scholarship program – reduced by \$5,000 to \$10,000

The **Motion LAPSED**.

191213/10 RESOLVED

(Cr Susan Meehan/Cr Keith Williams)

1. That Council confirms that it will not be conducting an expression of interest process for the 2014/15 Festivals and Events funding program, with the funding to be allocated as follows:

Event	Funding for 2014/15 (\$)
Ballina Fine Food & Wine Affair	5,000
Ballina Coastal Country Music Festival	20,000
Country Fair	5,000
Skullcandy Oz Grom Open	15,000
Ballina Boat & Leisure Show	3,000
Lennox Head Carols	5,000
Riverside Carols, Ballina	5,000
Alstonville New Years Eve	15,000
Ballina Prawn Festival	35,000
TOTAL	108,000

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2. As Council's long term financial plan only provides \$60,000 in 2014/15 for the Festivals and Events program, the following budgets are to be amended in that plan to finance the increased allocation for this program:

- Civic Functions – reduce by \$3,000 to revised budget of \$5,000
- Community donations – reduced by \$27,000 to \$40,000
- SCU Scholarship program – reduced by \$5,000 to \$10,000
- Tourism Destination Marketing/Development – reduced by \$13,000 to \$90,000

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

13.3 Notice of Motion - 2014 Country and Regional Living Expo

A **Motion** was moved by Cr Sharon Cadwallader

1. That Council participate in the 2014 Country and Regional Living Expo.
2. That Council seek partnerships with the Ballina Chamber of Commerce and participating local businesses to share costs.

The **Motion LAPSED.**

8.2 DA 1995/274 - Section 96 Application - Stoker's Quarry

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

That the Application under S96(2) of the Environmental Planning and Assessment Act 1979 to modify development consent 1995/274 to extend the operational life of the existing quarry by a further 10 years be **APPROVED** subject to the following:

1. Condition 5 amended to read:
 5. *This consent enables a total extraction of 330,000 cubic metres or the quarrying on site for no more than 30 years, whichever is achieved first.*
2. Insert the following additional condition numbers 7 and 8:
 7. *The management of on-site stormwater is to comply with the requirements of the current Environmental Management Plan, Environmental Management Plan Stoker's Quarry Gap Road, Uralba, NSW prepared by Aspect North dated 22 April 2004 and the Environmental Impact Statement Stoker's Quarry Continued Gravel Operation at Uralba Ballina Shire Council, prepared by Jim Glazebrook dated 22 April 1995. Alternatively, if the stormwater management requirements outlined in the Environmental Management Plan are inadequate, or for other reasons not suitable, an amended stormwater management plan must be submitted to the*

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Principal Certifying Authority for approval within three months of this consent being issued.

Once the submitted stormwater management plan has been approved and issued, any required works must be carried out within two months of receiving notification of approval.

8. *A new Environment Management Plan for Stoker's Quarry, demonstrating compliance with current environmental standards and legislation must be submitted to the Principal Certifying Authority for approval at least six months prior to the expiry of the existing approved operation, 11 March 2015.*

Once the submitted environmental management plan has been approved, the operation and management of the quarry must then be carried out in accordance with this plan.

An **Amendment** was moved by Cr Jeff Johnson

That this matter be deferred subject to the submission of an updated Environmental Plan of Management.

The **Amendment LAPSED.**

The **Motion** was **CARRIED.**

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

AGAINST VOTE - Cr Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Johnson

191213/11 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

That the Application under S96(2) of the Environmental Planning and Assessment Act 1979 to modify development consent 1995/274 to extend the operational life of the existing quarry by a further 10 years be **APPROVED** subject to the following:

1. Condition 5 amended to read:

5. This consent enables a total extraction of 330,000 cubic metres or the quarrying on site for no more than 30 years, whichever is achieved first.

2. Insert the following additional condition numbers 7 and 8:

7. The management of on-site stormwater is to comply with the requirements of the current Environmental Management Plan, Environmental Management Plan Stoker's Quarry Gap Road, Uralba,

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NSW prepared by Aspect North dated 22 April 2004 and the Environmental Impact Statement Stoker's Quarry Continued Gravel Operation at Uralba Ballina Shire Council, prepared by Jim Glazebrook dated 22 April 1995. Alternatively, if the stormwater management requirements outlined in the Environmental Management Plan are inadequate, or for other reasons not suitable, an amended stormwater management plan must be submitted to the Principal Certifying Authority for approval within three months of this consent being issued.

Once the submitted stormwater management plan has been approved and issued, any required works must be carried out within two months of receiving notification of approval.

8. A new Environment Management Plan for Stoker's Quarry, demonstrating compliance with current environmental standards and legislation must be submitted to the Principal Certifying Authority for approval at least six months prior to the expiry of the existing approved operation, 11 March 2015.

Once the submitted environmental management plan has been approved, the operation and management of the quarry must then be carried out in accordance with this plan.

FOR VOTE - Cr David Wright, 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 Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Johnson

8.3 Swimming Pools - Barrier Inspection Program

A **Motion** was moved by Cr Ben Smith and seconded by Cr Jeff Johnson

That Council adopt a program that involves only the mandatory inspection of those pools identified as higher risk, being multi-unit residential, motels, tourist facilities, child care facilities and properties subject to lease or sale, to be commenced by 29 April 2014.

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

FOR VOTE - Cr Jeff Johnson, Cr Keith Williams and Cr Ben Smith

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

ABSENT. DID NOT VOTE - Cr Keith Johnson

191213/12 RESOLVED

(Cr Sharon Cadwallader/Cr Robyn Hordern)

1. That Council take the following actions in respect to the Swimming Pool Inspection Program:

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- a) Commence cross checking all pools registered on the NSW Division of Local Government register and our records management system
 - b) Identify and take action on all pools not registered on the NSW Division of Local Government register through Council's GIS mapping system or through the services of a private company offering similar services
 - c) Establish an electronic pool register
 - d) Commence an inspection program for all identified higher risk pools, to be finalised by April 2014
 - e) Commence an inspection program for pools not registered on the NSW Division of Local Government register
 - f) Continue to inspect outstanding finalisations for pools subject to the DA process
 - g) Inspect pools subject to lease or sale, as required under the legislation, commencing 29 April 2014 or as requested sooner by applicants and
 - h) Investigate the advantages of providing an inspection service through the private sector.
2. That Council receive a further report by 31 May 2014 to review the operation and delivery of the Swimming Pool Barrier Inspection program actions undertaken, as per point one above.
 3. That Council further promote this through our community advertising.

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

12. Public Question Time

12.1 Matthew Townend - Climate Change

Matthew Townend – are we planning into the future for climate change?

The General Manager advised that we have various documents addressing the issues of climate change in the Shire such as the Floodplain Management Plan, the Environmental Action Plan, Climate Action Strategy and the Coastal Zone Management Plan.

Council has also replaced street lighting with energy efficient bulbs, ???

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8.4 Policy (Review) - Enforcement

191213/13 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

1. That Council adopts the amended Enforcement Policy, as attached to this report.
2. That Council place this policy on exhibition for public comment, with any submissions received to be reported back to Council. If no submissions are received then no further action is required.

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

8.5 Financial Assistance - Research Project

191213/14 RESOLVED

(Cr Keith Williams/Cr Paul Worth)

That Council declines to support the *New Approaches for Managing Coastal Wetlands* project as the allocation of the \$10,000 requested for the 2014/15 budget, in isolation, is not considered to be good financial management practice and could result in other more worthwhile projects being excluded from the 2014/15 budget.

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

8.6 Development Consent Statistics - November 2013

191213/15 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on development consent statistics for 1 November 2013 to 30 November 2013.

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

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8.7 Development Applications - Works in Progress - December 2013

191213/16 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

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

10. General Manager's Group Reports

10.1 Use of Council Seal

191213/17 RESOLVED

(Cr Robyn Hordern/Cr Sharon Cadwallader)

That Council affix the Common Seal to the following document.

US13/27	Lease - Ballina Shire Council to Specsavers Pty Ltd lease of 155 River Street, Ballina (Specsavers). Five year lease with five year option.
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FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Keith Johnson

10.2 Investment Summary - November 2013

191213/18 RESOLVED

(Cr Robyn Hordern/Cr Sharon Cadwallader)

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

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

10.4 Flat Rock Tent Park - Adoption of Fees and Charges 2014/15

191213/19 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council adopts the draft Flat Rock Tent Park fees and associated notes, as presented to the October 2013 Ordinary meeting and subsequently exhibited, for 2014/15.

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

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Cr Paul Worth declared an interest in Item 10.5 and left the meeting at 01:02 pm.

10.5 Building Better Regional Cities Program - Rebate Expansion

A Motion was moved by Cr Ben Smith and seconded by Cr Keith Williams

That Council not amend the existing agreement with the Federal Government.

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

FOR VOTE - Cr David Wright, Cr Keith Williams and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader, Cr Susan Meehan, Cr Ken Johnston and Cr Robyn Hordern

ABSENT. DID NOT VOTE - Cr Keith Johnson and Cr Paul Worth

191213/20 RESOLVED

(Cr Susan Meehan/Cr Sharon Cadwallader)

1. That Council authorises the General Manager to make a submission to the Federal Government to amend the existing agreements for the Building Better Regional Cities (BBRC) program to include additional residential land releases that meet the following criteria:
 - a) The release area must be a relatively new area having a yield of 100 or more residential lots
 - b) The release area must be providing major community infrastructure such as sports fields
 - c) The release area is to be within a five kilometre radius of the infrastructure being delivered by the BBRC program
2. Based on point one it is Council's understanding that the only currently eligible land release areas are the Ferngrove and Riveroaks Estates, with the rebate applicable for these estates to be \$14,000 based on the current level of Section 94 and Section 64 contributions being paid.
3. The \$14,000 rebate is to be financed from 100% of the water (currently \$3,450), sewer (\$7,474) and roads (\$2,033) contributions paid with the balance (currently \$1,043) financed from the Community Facilities contributions applicable to these developments.
4. Any amendment to the existing agreements for the BBRC program is to ensure that the maximum total rebates paid by Council do not increase from the existing maximums (i.e. \$3 million for Ballina Heights and \$2.4 million for Wollongbar).

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

Cr Paul Worth returned to the meeting at 01:22 pm.

10.6 Governance Options - Waste and Commercial Services

191213/21 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That Council authorises the Mayor and / or General Manager to sign an MOU with the NOROC councils to further investigate the establishment of a Council owned company to operate a regional waste disposal facility. The Council seal is authorised to be attached to the MOU.

Cr Jeff Johnson left the meeting at 01:22 pm.

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

Cr Jeff Johnson returned to the meeting at 01:32 pm.

11. Civil Services Group Reports

11.1 Pedestrian Access and Mobility Plan - Review

191213/22 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council adopt the revised Pedestrian and Access Mobility Plan (PAMP) 2013 Priority Program of Works, presented as attachment two to this report, and this program be used to inform the preparation of the draft 2014/15 Delivery Program and Operational Plan.
2. That Council receive a report on footpath options for the Rifle Range Road, Wollongbar precinct.

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

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11.3 Porter Park - Embellishment

191213/23 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That Council endorses the draft concept layout plan, as attached to this report, for the purposes of seeking further community feedback for the embellishment of Porter Park.
2. That a consultation process be conducted during January and February 2014 to invite a response from the community in relation to the draft plan endorsed in point one above.

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

11.4 DA 2011/506 - Review of Developer Contributions

191213/24 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That Council retain the contributions as per the previous report to Council in November 2013.

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

13. Notices of Motion

13.2 Notice of Motion - Lake Ainsworth Management Plan

A Motion was moved by Cr Sharon Cadwallader

1. That Council form a Committee to oversee the implementation of the Lake Ainsworth Management Plan with membership consisting of representatives from the following organisations:
 - Council staff (as appointed by the General Manager)
 - NSW Sport and Recreation
 - Lake Ainsworth Caravan Park Management (i.e. North Coast Holiday Parks)
 - NSW Fisheries
 - Wetland Care
 - Other relevant organisations as agreed by the members of the Committee

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2. The terms of reference for the Committee are to include:

- implementing actions from the Lake Ainsworth Management Plan
- sourcing funding opportunities
- investigation of alternate strategies if science has changed or deterioration greater than existed at the time of the existing Management Plan
- collate and monitor all records relating to the ongoing lake health and to take appropriate actions. This is to include but not be limited to blue green algae, faecal coliforms, edge erosion rates, riparian zone condition and lake biology.

The Motion LAPSED.

14. Advisory Committee Minutes

14.1 Facilities Committee Minutes - 9 December 2013

191213/25 RESOLVED

(Cr Ben Smith/Cr Paul Worth)

That Council confirms the minutes of the Facilities Committee meeting held 9 December 2013 and that the recommendations contained within the minutes be adopted.

FOR VOTE - Cr David Wright, 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 Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Johnson

14.2 Commercial Services Committee Minutes - 9 December 2013

191213/26 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council confirms the minutes of the Commercial Services Committee meeting held 9 December 2013 and that the recommendations contained within the minutes be adopted.

FOR VOTE - Cr David Wright, 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 Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 19/12/13 AT 9.00 AM**

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

15.1 Mayoral Meetings

191213/27 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 Keith Johnson

16. Questions Without Notice

16.1 Cr Robyn Hordern - Apex Park, Alstonville

Cr Robyn Hordern - vandalism at Apex Park at Alstonville. CCTV footage suggests it was an adult male who set fire to the playground equipment.

16.2 Cr Robyn Hordern - Traffic Signs - Cnr Bentinck and Norton Streets, Ballina

Cr Robyn Hordern – The “Keep Left” sign on the corner of Bentinck and Norton Streets, obscures oncoming traffic.

John Truman to review.

16.3 Cr Paul Worth - Teak Tree - Wollongbar Residential Estate

Cr Paul Worth - now that the Teak tree located on Council owned land is fully visible at Plateau Drive Wollongbar, can staff reassess the need to protect this poor specimen, and the cost to the community, by keeping the tree ie. poor lot layout of blocks thus reducing the project income by up to \$200,000.

The General Manager to follow up.

16.4 Cr Susan Meehan - Rous Water

Cr Susan Meehan – spoke in relation to Rous Water and its Future Strategy Consultation Paper. In relation to climate change, modelling is showing demand is outgrowing supply. The use of groundwater will, she believes, be controversial. Councillors will be receiving a briefing from Rous on the document in February 2014.

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MEETING CLOSURE

2.27 pm

The Minutes of the Ordinary Meeting held on 19/12/13 were submitted for confirmation by council on 23 January 2014 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 23 January 2014.