

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 23/03/17 AT 9.00 AM**

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**Attendance**

Crs David Wright (Mayor - in the chair), Phillip Meehan, Sharon Parry, Jeff Johnson, Eoin Johnston, Stephen McCarthy, Nathan Willis, Keith Williams, Sharon Cadwallader and Ben Smith.

Paul Hickey (General Manager), John Truman (Group Manager Civil Services), Rod Willis (Group Manager Development and Environmental Health), Steve Barnier (Group Manager Strategic and Community Facilities) and Sarah Carden (Secretary) were in attendance.

There were 35 people in the gallery at this time.

**1. Australian National Anthem**

The National Anthem was performed by Teven-Tintenbar Primary 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**

An apology was received from Cr Keith Williams

**230317/1        RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That such apology for late arrival be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

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**4. Confirmation of Minutes**

**230317/2        RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 23 February 2017.

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

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

**Cr Nathan Willis** - declared an interest in item 9.1 – Alstonville Planning and Environmental Study and Strategic Plan – (Nature of Interest: pecuniary interest – owns property in Wardell Road under consideration for rezoning to R3). He will be leaving the chambers while the matter is discussed and not be voting on the matter.

Cr Keith Williams arrived at the meeting at 09:15 am.

**6. Deputations**

- **Geoff Wegg** – spoke against Item 8.1 – DA 2016/744 – 64 Allens Parade, Lennox Head.

**Extension of Time**

**230317/3        RESOLVED**

(Cr Jeff Johnson/Cr Sharon Cadwallader)

That an extension of time be granted to deputation by Geoff Wegg.

FOR VOTE - All Councillors voted unanimously.

- **Dwayne Roberts, Ardill Payne** – spoke in favour of Item 8.1 – DA 2016/744 – 64 Allens Parade, Lennox Head.
- **Paul Sternberg** – spoke against Item 9.2 – Policy (Review) – Detached Dwelling Development Within Rural Areas.
- **Wendy Wilkins** – spoke against Item 11.2 – Road Closing – Hendersons Lane.
- **Shawn Eastment, Lake Ainsworth Interest Group** – spoke against Item 13.1 – Notice of Motion – Lake Ainsworth Plan of Management.
- **Shawn Eastment, Lennox Head Land Care** – spoke in favour of Item 13.2 – Notice of Motion – Lake Ainsworth Water Quality.

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- **Doug Stinson** – spoke in favour of Item 13.3 – Notice of Motion - Shade Structures for Childrens Playgrounds.
- **Alan Brown** – spoke in relation to Item 14.1 – Finance Committee Minutes.
- **Terry Prendergast** – spoke in relation to Item 9.3 – Dalwood Falls

**7. Mayoral Minutes**

Nil items.

**8.1 DA 2016/744 - 64 Allens Parade, Lennox Head**

**230317/4          RESOLVED**

(Cr Phillip Meehan/Cr Sharon Parry)

That Development Application 2016/744 to construct a two storey dwelling and basement parking, a swimming pool and removal of 2 Cook Island Pine trees at Lot 61 in DP 29654, being No. 64 Allens Parade, Lennox Head be APPROVED subject to the following conditions being applied to the consent:

1. A dilapidation report detailing the current condition of the adjoining buildings and sewer infrastructure shall be prepared by a suitably qualified person. The report shall be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

A second dilapidation report shall be prepared by a suitably qualified person at the completion of the works to ascertain if any damage has occurred to the adjoining buildings or sewer infrastructure. The report shall also be submitted to the satisfaction of the Principal Certifying Authority and should be compared with the earlier report to ascertain any change has occurred.

The developer shall be responsible for the rectification of any damage caused as a result of the works associated with this development.

2. A Construction Waste Plan in accordance with Section 3.7 of the Ballina Shire Development Control Plan 2012 is to be submitted to and approved by the PCA prior to issue of a Construction Certificate.
3. The basement is to be designed to accommodate the possibility of foundation soil removal to a depth of 2.0 metres Australian Height Datum (AHD). Where not supported by the basement structure, the structural design of the dwelling and pool is to incorporate a suspended design supported off piles, taking into account the possibility of foundation soil removal to a depth of 2.0 metres

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Australian Height Datum (AHD).

The piling and structural design is to take into account any potential forces attributed to wave action. Structural engineering details are to be submitted to the Principal Certifying Authority (PCA) detailing this requirement prior to the issue of a Construction Certificate.

4. On completion of any piling, written structural engineer's certification from the consultant engineer is to be submitted to the PCA and Council, verifying the placement of any piles and adequacy of the required bearing capacity, prior to works proceeding beyond that stage.

Note: driven piling methods are not permitted due to problems with site vibration and the potential for damage to adjoining properties.

5. The habitable ground floor of the building is to be constructed to have a minimum habitable floor level of 5.25 metres AHD. Written certification from a registered surveyor is to be submitted to the Principal Certifying Authority (PCA) and Council on completion of the formwork for the ground floor slab (prior to concrete pour), prior to works proceeding further.
6. All structures including pool barriers are to be located behind the foreshore building line.
7. External lighting is not to be directed towards the beach.
8. The proposed outdoor shower is not permissible forward of the building line unless supplied with cold water only as, it has no waste connection to the sewer and it is unroofed.
9. The relocation of any services with the road reserve is to be at the developer's expense.
10. Prior to issue of an Occupation Certificate, four advanced stock Cook Island Pine trees are to be planted at the developer's expense on Council owned land as selected by Council.

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith  
AGAINST VOTE - Cr Jeff Johnson

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**9.2 Policy (Review) - Detached Dwelling Development Within Rural Areas**

**230317/5            RESOLVED**

(Cr Keith Williams/Cr Nathan Willis)

That Council further investigate a change to planning policy in relation to dwellings on rural land (specifically detached dual occupancy and secondary dwellings).

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith  
AGAINST VOTE - Cr Phillip Meehan

Cr Jeff Johnson declared an interest in Item 11.2 and left the room at 10:19 am.

**11.2 Road Closing - Henderson Lane**

**230317/6            RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council authorizes the General Manager to proceed with the road closing application at a time that takes into account the EPIQ development rehabilitation plan requirements to Council's satisfaction within a reasonable time period.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith  
AGAINST VOTE - Cr Phillip Meehan  
ABSENT. DID NOT VOTE - Cr Jeff Johnson

Cr Jeff Johnson returned to the meeting at 10:25 am.

**13.1 Lake Ainsworth Plan of Management**

**230317/7            RESOLVED**

(Cr Keith Williams/Cr Nathan Willis)

1. That Council fund the preparation of a Coastal Zone Management Plan for Lake Ainsworth.
2. That the funding be sourced from the monies allocated to the infrastructure works for the southern and eastern precinct.

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

That Council considers funding the Coastal Zone Management Plan for Lake Ainsworth in the 2017/18 budget.

The **Amendment LAPSED.**

An **Amendment** was moved by Cr Phillip Meehan

That Council undertake a comprehensive review of the Lake Ainsworth Plan of Management to create a statutory Coastal Zone Management Plan following completion of the southern and eastern precinct works.

The **Amendment LAPSED.**

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

FOR VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith  
AGAINST VOTE - Cr David Wright and Cr Jeff Johnson

**Adjournment**

The Mayor declared the meeting adjourned at 11.06 am

The meeting resumed at 11.28 am

**13.3 Shade Structures for Children's Playgrounds**

**230317/8        RESOLVED**

(Cr Jeff Johnson/Cr Nathan Willis)

1. That Council amend its Playground policy to require all new playground installations to include a shade structure where they do not have adequate overhead shade from trees.
2. As part of the \$170,000 of recurrent funding for Playgrounds, Council consider retrofitting shade structures to existing playgrounds.

FOR VOTE - All Councillors voted unanimously.

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**13.2 Lake Ainsworth Water Quality**

**230317/9          RESOLVED**

(Cr Jeff Johnson/Cr Keith Williams)

1. That Council note the recently completed report 'Lake Ainsworth water quality snapshot'
2. That Council note that the levels of phosphorous in the water at Lake Ainsworth have increased significantly since 1995 and are a contributing factor of blue green algal blooms.
3. That Council investigate the source of and feasibility of reducing the level of nutrients (ie phosphorus) in the water at Lake Ainsworth to improve the long-term health of the Lake.
4. That Council include this investigation as part of the Coastal Zone Management Plan plan for Lake Ainsworth.

FOR VOTE - All Councillors voted unanimously.

**14.1 Finance Committee Minutes - 16 March 2017**

**230317/10          RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council confirms the minutes of the Finance Committee meeting held 16 March 2017 and that the recommendations contained with the minutes be adopted, with the following amendment to Item 4.8 (Long Term Financial Plan – General Fund):

1. That Council notes the contents of this interim update on the Long Term Financial Plan for the General Fund.
2. That the expression of interest to the Restart NSW grant program be for funding of the airport boulevard project and the coastal walk project.

FOR VOTE - All Councillors voted unanimously.

A **Motion** was moved Cr Ben Smith and seconded by Cr Stephen McCarthy

That Council receive a report on the following matters:

1. Koala plan of management funding.
2. Significant tree register being funded over two financial years.
3. Analysis of Alstonville Leisure and Entertainment Centre revenue
4. Northern Rivers Community Gallery dissection of operating expenses and revenues.
5. Funding allocated for the Community Event program.

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6. Tourism Marketing and Destination budget to be funded from airport dividend.

**230317/11      RESOLVED**

(Cr Jeff Johnson/Cr Nathan Willis)

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Nathan Willis

That Council receive a report on the following matters:

1. Analysis of Alstonville Leisure and Entertainment Centre revenue.
2. Funding allocated for the Community Event program.
3. Tourism Marketing and Destination budget to be funded from airport dividend.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Nathan Willis and Cr Keith Williams

AGAINST VOTE - Cr Phillip Meehan, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

The **Amendment** then became the **Motion** and was **CARRIED** therefore it was **RESOLVED**

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr Phillip Meehan, Cr Stephen McCarthy and Cr Ben Smith

Cr Keith Williams left the meeting at 12:06 pm.

**12.      Public Question Time**

**12.1      Terry Prendergast - Tosha Falls**

Terry Prendergast - Has Council considered the walkway in force since September 1987 from Lumley Park past Tosha Falls to the remnant rainforest, 3.7km of walkway as designated by previous Tintenbar Shire council?

Steve Barnier advised Council has not considered this in many years.

**12.2      Denis Magnay – Lake Ainsworth Road Closure**

Denis Magnay – regarding closure of Lake Ainsworth road, does Council now have a DA to close the Lake Ainsworth road?

Paul Hickey advised Council has resolved to close the Lake Ainsworth Road, and Council staff are in the process of submitting a Development application under part IV of the Environmental Planning & Assessment Act to close the road.



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**12.3 Graham Shaw - Lake Ainsworth**

Graham Shaw – Has there been any movement in terms of hiring the consultant for the proposed recreational parkland at Lake Ainsworth and if so, when would the consultant likely be engaged? What period of time would it take for the consultant to complete the work?

John Truman advised that it was his understanding that Council has engaged a consultant. A completion date is not known at this stage.

**12.4 Pat Carney - Policy Review Detached Dwelling Development within Rural Areas**

Pat Carney – What timeframe is there for the dual occupancy workshop and who will be involved?

Steve Barnier advised Council will coordinate a workshop within the next couple of months and workshops are with councillors.

**12.5 Pat Carney - Floodplain Management**

Pat Carney – What is the timeline for the floodplain management possible change in building requirements?

John Truman advised he will follow this matter up.

**12.6 Terry Prendergast - Tosha Falls**

Terry Prendergast – Will the Council be looking into a tourism pathway linking Lumley park to Tosha falls to the remnant rainforest?

Paul Hickey advised the draft Plan of Management for Tosha Falls will be reported to Council which would include consideration of the walkway. Steve Barnier advised past planning policy provided for public access by designated pathway or right of way to be facilitated along the rural waterways, from Pearces Creek Road to Tosha Falls and beyond.

**9.3 Dalwood Falls**

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Nathan Willis)

That Council receive a report on the options to prepare a formal management plan for the site (similar to the plans being prepared for Killen and Tosha Falls) as the basis for Council's ongoing management of the land as part of the 2017/18 budget.

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Nathan Willis, and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

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The **Motion** was **LOST**  
**230317/12      RESOLVED**

(Cr Ben Smith/Cr Eoin Johnston)

**RECOMMENDATIONS**

1. The General Manager is authorised to engage in discussions with Jali Local Aboriginal Land Council with a view to the Council-owned property in the immediate vicinity of Dalwood Falls being acquired by Jali LALC under terms and conditions to be negotiated.
2. In the event Jali LALC does not wish to purchase the property or discussions extend beyond a period of nine months, the General Manager be authorised to list the property for sale with a local real estate agent for a period of three months to determine if there are any potential purchasers.
3. If no offers are received for the purchase of the property, that Council proceed to prepare a formal management plan for the site (similar to the plans being prepared for Killen and Tosha Falls) as the basis for Council's ongoing management of the land.

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Nathan Willis.

That Council receive a report on options for tourist facilities and other enhancements etc on the site.

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson and Cr Nathan Willis  
AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith  
ABSENT. DID NOT VOTE - Cr Keith Williams

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

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

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith  
AGAINST VOTE - Cr Sharon Parry, Cr Jeff Johnson and Cr Nathan Willis  
ABSENT. DID NOT VOTE - Cr Keith Williams

The meeting resumed at 2.04 pm.

Cr Keith Williams returned to the meeting at 2.04 pm.

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

**8.2 Development Applications – Variation to Development Standards**

**230317/13      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of this report on the development applications approved under delegation for variations to development standards less than 10% for February 2017.

FOR VOTE - All Councillors voted unanimously.

**8.3 Development Consent and Infrastructure Approvals - February 2017**

**230317/14      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on development consent and public infrastructure approvals for 1 February 2017 to 28 February 2017.

FOR VOTE - All Councillors voted unanimously.

**8.4 Development Applications - Works in Progress - 23 March 2017**

**230317/15      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on the status of outstanding development applications for March 2017.

FOR VOTE - All Councillors voted unanimously.

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

**9.1 Alstonville Planning and Environmental Study and Strategic Plan**

**230317/16      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council endorses the public exhibition of the draft Alstonville Planning and Environmental Study and draft Alstonville Strategic Plan 2017 – 2037.

2. That Council give further consideration to the draft Alstonville Planning and Environmental Study and draft Alstonville Strategic Plan following public exhibition.

FOR VOTE - All Councillors voted unanimously.

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**9.4 Ballina LEP 2012 Planning Proposal - Deferred Matters Stage 2**

**230317/17      RESOLVED**

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council delay consideration of this matter until after the April briefing.

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr David Wright and Cr Phillip Meehan

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

**10.1 Use of Council Seal**

**230317/18      RESOLVED**

(Cr Ben Smith/Cr Eoin Johnston)

That Council affix the Common Seal to the following documents:

US 17/11	Ballina Shire Council Lease to Brian Hall and Ian Ellis and Presime Pty Ltd for Lot 8 DP 1059312 at the Ballina Byron Gateway Airport for a period of three years.
US 17/12	Forms to release part of easements within Lot 299 DP 1147087, 1 Hilander Street, Cumbalum, as follows:  1. Release of part of Easement to Drain Sewage 4 wide (E3 created by DP 1147087)  2. Release of part of Easement to Drain Water 4 wide (E4 created by DP 1147087)

FOR VOTE - All Councillors voted unanimously.

**10.2 Investment Summary - February 2017**

**230317/19      RESOLVED**

(Cr Ben Smith/Cr Eoin Johnston)

That Council notes the record of banking and investments for February 2017.

FOR VOTE - All Councillors voted unanimously.

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**10.3 Hardship Rate Relief Application**

**230317/20      RESOLVED**

(Cr Ben Smith/Cr Eoin Johnston)

That Council notes the contents of this report on the hardship rate relief application, which is to be considered in confidential session.

FOR VOTE - All Councillors voted unanimously.

**11. Civil Services Group Reports**

**11.1 Lake Ainsworth and Adjoining Local Area - Parking Issues**

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

That Council notes the advice of the Local Traffic Committee, that in regard to parking issues at Lake Ainsworth and adjacent local area, the Committee has agreed to monitor the parking situation until the project and improvement works are completed and will then reassess on completion of these works.

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Sharon Parry

1. That Council relay its concerns to the Lake Ainsworth Caravan Park management about the number of guests parking in the public carparking areas during peak holiday times.
2. That Council work with the Lake Ainsworth Caravan Park management to encourage its guests to park their cars within the grounds of the caravan park.
3. That parking restrictions between 1am and 5am be implemented along the southern road in conjunction with the Lake Ainsworth improvement program.
4. That Council implement a no parking zone between 1am and 5am in the two carparks near the Lennox Surf Club (Pacific Parade).

FOR VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson and Cr Nathan Willis

AGAINST VOTE - Cr David Wright, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

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

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**230317/21      RESOLVED**

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

1. That Council notes the advice of the Local Traffic Committee, that in regard to parking issues at Lake Ainsworth and adjacent local area, the Committee has agreed to monitor the parking situation until the project and improvement works are completed and will then reassess on completion of these works.
2. That Council relay its concerns to the Lake Ainsworth Caravan Park management about the number of guests parking in the public carparking areas during peak holiday times.
3. That Council work with the Lake Ainsworth Caravan Park management to encourage its guests to park their cars within the grounds of the caravan park.

A **Motion of dissent** from the ruling of the Mayor/Chair in accepting this amendment was moved by Cr Keith Williams and seconded by Cr Sharon Cadwallader as they believed that the amendment was not valid as the debate was closed after the right of reply was given.

FOR VOTE - Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston and Cr Stephen McCarthy

The **Motion of Dissent** was **LOST**

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

FOR VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Nathan Willis

AGAINST VOTE - Cr David Wright, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

The **Amendment** then became the **MOTION** and was **CARRIED**

FOR VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Nathan Willis

AGAINST VOTE - Cr David Wright, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

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**11.3 Policy (Review) - Monuments and Memorials on Public Land**

**230317/22      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council defer this matter to a Councillor briefing.

FOR VOTE - Cr Sharon Parry, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Jeff Johnson and Cr Eoin Johnston

**11.4 Byron Street Pump Station Replacement Contract - Variation**

**230317/23      RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council accepts the amended tender from Diona Pty Ltd for the construction of a replacement Sewer Pump Station at Byron Street, Lennox Head for the amount of \$1,824,007.63 (ex GST).
2. In order to fund this change the 2016/17 to 2019/20 Delivery Program is to be adjusted by deferring \$273,000 of the 2017/18 budget for the Wollongbar Gravity Main Upgrade project to the 2018/19 financial year, with this \$273,000 re-allocated to the Byron Street Sewer Pump Station in 2017/18.
3. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

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**11.5 Tender - East Ballina Reservoir Refurbishment**

**230317/24      RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council accepts the tender from Rays Machinery Painting for the refurbishment of the East Ballina Reservoir for the tendered amount of \$647,721.70 (ex GST).
2. In order to fund this project the 2016/17 to 2019/20 Delivery Program be adjusted by transferring \$120,000 from the Reservoir Access and Integrity Upgrade Project and \$126,000 from the Drinking Water Renewals Project.
3. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

**11.6 Tender - Street Lights at Skennars Head and The Coast Road**

**230317/25      RESOLVED**

(Cr Sharon Cadwallader/Cr Eoin Johnston)

That Council accepts the Tender of NJ Constructions Pty Ltd for \$193,160 (incl GST) for the installation of street lighting as part of the construction of the roundabout at the intersection of Skennars Head Road and The Coast Road.

FOR VOTE - All Councillors voted unanimously.

**13.4 Pioneer Memorial Cemetery, East Ballina**

**230317/26      RESOLVED**

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council seek opportunities for grant funding, particularly heritage or tourism grants, to undertake restoration works to the headstones at the Pioneer Memorial Cemetery.
2. That Council include an article with the burial register in Community Connect.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Phillip Meehan



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**13.5 Funding for National Climate Change Adaptation Research Facility**

**230317/27      RESOLVED**

(Cr Sharon Cadwallader/Cr Eoin Johnston)

That Council adopt the motion and write to the Minister in support of extending Australian Government funding for NCCARF so that the Facility can continue to provide much-needed support to coastal councils in their efforts to respond to the projected impacts of more frequent and severe extreme weather events and other climate impacts.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Phillip Meehan

**14.      Advisory Committee Minutes**

Nil items.

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

**15.1      Mayoral Meetings**

**230317/28      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

**16.      Confidential Session**

**230317/29      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 3.33 pm).

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 23/03/17 AT 9.00 AM**

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**Open Council**

**230317/30      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 3.39 pm).

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

**16.1    Hardship Rate Relief Application - Confidential Details**

**CF230317/31    RECOMMENDED**

(Cr Sharon Cadwallader/Cr Ben Smith)

That based on the contents of this report Council resolves to decline the subject request for hardship rate relief.

FOR VOTE - All Councillors voted unanimously.

**Adoption of Recommendations from Confidential Session**

**230317/32      RESOLVED**

(Cr Keith Williams/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.

**MEETING CLOSURE**

3.39 pm

The Minutes of the Ordinary Meeting held on 23/03/17 were submitted for confirmation by council on 27 April 2017 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 27 April 2017.