

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

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**Attendance**

Crs Ben Smith (Chair), Phillip Meehan, Sharon Parry, Eoin Johnston, Stephen McCarthy, Nathan Willis, Keith Williams and Sharon Cadwallader.

Paul Hickey (General Manager), John Truman (Group Manager Civil Services), Kerri Watts (Acting Group Manager Development and Environmental Health), Steve Barnier (Group Manager Strategic and Community Facilities) and Sandra Bailey (Secretary) were in attendance.

There were 24 people in the gallery at this time.

**Election of Chair**

In the absence of the Mayor and Deputy Mayor, the General Manager called for nominations for the position of Chair.

Nominations were received for Crs Sharon Cadwallader and Ben Smith.

Following a show of hands, the vote was tied at four votes each.

Following a draw from the hat, Cr Ben Smith was declared elected as Chair for this meeting.

**1. Australian National Anthem**

The National Anthem was performed by Empire Vale Public School.

The General Manager thanked the students and teachers of the Empire Vale Public School for their involvement and participation in the new public art sculptures that have recently been installed on two roundabouts in the Ballina CBD (being the intersection of Cherry and Tamar Streets, and Moon Street and Fawcett Lane).

**2. Acknowledgement of Country**

In opening the meeting the Chair 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.

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**3. Apologies**

Apologies were received from Cr David Wright, Mayor, and Cr Jeff Johnson, Deputy Mayor.

**270717/1 RESOLVED**

(Cr Keith Williams/Cr Eoin Johnston)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**4. Confirmation of Minutes**

**270717/2 RESOLVED**

(Cr Sharon Cadwallader/Cr Phillip Meehan)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 22 June 2017.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

- **Cr Nathan Willis** – declared an interest in Item 9.1 – Alstonville Strategic Plan 2017 – 2037 – Project Completion. (Nature of Interest: significant pecuniary - concerns rezoning of his property in Wardell Road, Alstonville). He will be departing the meeting while the matter is discussed.
- **Cr Nathan Willis** – declared an interest in Item 10.5 – Donations – Community and Sporting Groups and Public Halls as follows:
  - Donations Request No. 12 – Wollongbar Community Preschool - (Nature of Interest: significant, non-pecuniary – a political colleague is a member of the executive of the Wollongbar Preschool). He will be departing the meeting while the matter is discussed.
  - Donations Request No. 18 – Ballina Region for Refugees Inc. (Nature of Interest: non-significant, non-pecuniary – he has spoken in professional capacity to a meeting of Ballina Region for Refugees).

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---

- Donations Request No. 29 – Alstonville Baptist Church. (Nature of Interest: non-significant, non-pecuniary – he is a former long-term member of Alstonville Baptist Church). He will be remaining in the meeting while the matter is discussed and voting on the matter.
  
- **Cr Nathan Willis** – declared an interest in Item 10.6 – Donations – Rates and Charges 2017/18. (Nature of Interest: significant non-pecuniary - political colleagues are executive members of the Wollongbar Community Hall and Seabird Rescue). He will be departing the meeting while the matter is discussed.
  
- **Cr Nathan Willis** – declared an interest in Item 13.3 – Notice of Motion – Waste Charges – Community Halls. (Nature of Interest: significant non-pecuniary – a political colleague is an executive member of the Wollongbar Community Hall). He will be departing the meeting while the matter is discussed.
  
- **Steve Barnier, Group Manager Strategic and Community Facilities** – declared an interest in Item 9.1 – Alstonville Strategic Plan 2017-2037 – Project Completion and in particular to the expressed interest in aged care facilities in Alstonville. (Nature of Interest: non significant, non pecuniary – he has an honorary role with another aged care facility in Ballina). He will be remaining in the meeting while the matter is discussed.
  
- **Cr Keith Williams** – declared an interest in Item 10.5 – Donations – Community and Sporting Groups and Public Halls, (Nature of Interest: significant pecuniary – he is currently the Acting General Manager of Seabird Rescue). He will be departing the meeting while the matter is discussed.
  
- **Cr Keith Williams** – declared an interest in Item 10.6 – Donations – Rates and Charges 2017/18. (Nature of Interest: significant pecuniary – he is currently the Acting General Manager of Seabird Rescue). He will be departing the meeting while the matter is discussed.
  
- **Cr Eoin Johnston** – declared an interest in Item 13.3 – Notice of Motion – Waste Charges – Community Halls. (Nature of Interest: non significant, non pecuniary – he is a member of the Rous Ratepayers Association who meet in the Rous Mill Hall). He will be remaining in the meeting while the matter is discussed and voting on the matter.
  
- **Cr Ben Smith** – declared an interest in Item 8.1 – DA 2006/148 – Section 96 Application – 31-35 Cherry Street, Ballina. (Nature of Interest: non significant, non pecuniary – his partner works in the building). He will be remaining in the meeting while the matter is discussed and voting on the matter.

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- **Cr Phillip Meehan** – later in the meeting declared an interest in Item 11.2 – Road Maintenance Works on Private Land – Pricing. (Nature of Interest: Cr Phillip Meehan had previously made a significant non pecuniary declaration of interest in this matter as he is a long term acquaintance of one of the key land holders in Deadmans Creek Road. He now views that declaration as a non significant non pecuniary interest). He remained in the meeting while the matter was discussed and voted on the matter.

There were no reportable political donations.

**6. Deputations**

- **Sally Prendergast** – spoke in opposition to Item 9.1 – Alstonville Strategic Plan 2017 – 2037 – Project Completion.
- **Paul Earner** – spoke in favour of Item 9.1 – Alstonville Strategic Plan 2017 – 2037 – Project Completion.
- **Oline Richards** – spoke in favour of Item 13.1 – Notice of Motion – Beach and River Debris.
- **Paul Worth** – spoke in opposition to Item 11.5 – Tuckombil Quarry – Short Term Lease.
- **Denis Magnay** – spoke in favour of Item 13.6 – Notice of Motion – General Manager’s Performance Review.

**Additional Deputations**

**270717/3            RESOLVED**

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council accept an additional two deputations on Item 9.1, with one being in favour and one in opposition.

FOR VOTE - 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 David Wright and Cr Jeff Johnson

- **Richard Lutze** – spoke in favour of Item 9.1 – Alstonville Strategic Plan 2017 – 2037 – Project Completion.
- **Peter Williams on behalf of Peter Roach** – spoke in opposition to Item 9.1 – Alstonville Strategic Plan 2017 – 2037 – Project Completion.

**7. Mayoral Minutes**

Nil items.

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---

Cr Nathan Willis declared an interest in Item 9.1 and left the meeting at 9:47 am.

**9.1 Alstonville Strategic Plan 2017 - 2037 - Project Completion**

A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Sharon Cadwallader

That this matter be deferred to a Councillor briefing.

**270717/4        RESOLVED**

(Cr Phillip Meehan)

That the Motion be Put to the vote.

FOR VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Ben Smith

AGAINST VOTE - Cr Keith Williams and Cr Sharon Cadwallader

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Nathan Willis

**270717/5        RESOLVED**

(Cr Phillip Meehan/Cr Sharon Cadwallader)

That this matter be deferred to a Councillor briefing.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Nathan Willis

Cr Nathan Willis returned to the meeting at 09:55 am.

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---

**13.1 Notice of Motion - Beach and River Debris**

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Eoin Johnston

1. That Council develop a policy that determines the level of service that Council will provide in respect to clean up works related to the removal of major flood debris from our high profile beach and river locations to improve the amenity for our residents and visitors.
2. That the report back to Council identifies the level of funding that will need to be provided on an annual basis to support this policy, along with options to finance this funding.
3. That this report be submitted back to Council at the latest by the October 2017 Ordinary meeting to ensure that Council is in a position to determine whether it wishes to undertake works related to this policy prior to the Christmas / New Year holidays.
4. That Council also undertake a one-off clean up within the next 30 days of the Lighthouse Beach, Shelly Beach, Spit and Serpentine areas to remove any major flood and storm debris due to the current poor state of those areas. The estimated cost of this service, which is currently unknown, but is not likely to be significant, is to be offset by savings in other recurrent budgets, with the General Manager authorised to make those savings where necessary.

The **Motion** was **LOST** on the casting vote of the Chair.

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Sharon Cadwallader

AGAINST VOTE - Cr Phillip Meehan, Cr Nathan Willis, Cr Keith Williams and Cr Ben Smith and the casting vote of the Chair

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**11.5 Tuckombil Quarry - Short Term Lease**

**270717/6            RESOLVED**

(Cr Phillip Meehan/Cr Sharon Parry)

That Council hold a Councillor briefing on Option Two as contained within the report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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---

**13.6 Notice of Motion - General Manager's Performance Review**

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

1. That an independent 360 degree performance review be implemented by the Council to determine in a transparent, fair and equitable manner the performance of the General Manager on an annual basis. The review should be independently undertaken and overseen by a review panel comprising the Mayor, the Deputy Mayor and at least two other Council members, ensuring that there is gender balance. The panel should also include another independent member, for example a mayor from another Council or a representative of LGNSW to provide peer input to the review panel. The review panel, to be approved by the Council, must represent a sufficient skill set to ensure a fair evaluation of the General Manager's performance can be made, to the best of the current Council's assessment. The review panel shall make a report on the General Manager's performance to the full Council in confidence, whereby a decision and feedback shall be agreed and provided in confidence to the General Manager.
  
2. That the General Manager be asked to consider the implementation of a regular, independent 360 degree performance evaluations be instituted for all senior Council staff at least once per each Council term. The General Manager should also be asked to consider ensuring that Performance Criteria for all senior staff, including that of the General Manager, be reviewed by the Council following each round of performance reviews.

An **Amendment** was moved by Cr Stephen McCarthy and seconded by Cr Eoin Johnston

That this matter be deferred to a Councillor briefing from an external expert on best practice approach to General Manager Performance Reviews.

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**270717/7        RESOLVED**

(Cr Stephen McCarthy/Cr Eoin Johnston)

That this matter be deferred to a Councillor briefing from an external expert on best practice approach to General Manager Performance Reviews.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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---

**Adjournment**

The Chair declared the meeting adjourned at 10.46 am

The meeting resumed at 11.04 am

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

**8.1 DA 2006/148 - Section 96 Application - 31-35 Cherry Street, Ballina**

A **Motion** was moved by Cr Eoin Johnston

That the Section 96 Application to Modify Development Consent 2006/148 via Section 96(2) of the Environmental Planning and Assessment Act 1979 at Lot 1 DP 1146004, No. 31-35 Cherry Street, Ballina, be granted consent, subject to the following modifications:

**New Condition**

- 1.21 A revised plan of management is to be provided for the parking area to ensure satisfactory use and safety of the parking area. This plan is to include signage to advise of the parking area, mirrors to assist with safety exiting the parking area onto the public road, and ensuring access and spaces are allocated and available to the tenancies of the building. The quantum of car parking spaces allocated and available to each tenancy is to adhere to the supply rate calculated per tenancy, in accordance with Table 2.3 within Chapter 2 of the Ballina Shire DCP 2012. Details are to be submitted to and approved by Council prior to the closure of the security gates to the car parking area and payment of the car parking contributions for 17.18 car parking spaces as per condition 2.10 of this amended consent.

**Amended Conditions**

- 2.10. Prior to the issue of the Construction Certificate for the development, total payment to Council of non-refundable monetary contributions is to be made towards the provision of public services and amenities, which are required as a result of the development. These contributions are required in accordance with s94 of the Environmental Planning & Assessment Act, 1979 and Council's adopted Contribution Plans.

The current amounts required are:

- \$62,687.00 for the provision of major shire wide road infrastructure, being for 942m<sup>2</sup> of retail floor area plus 1064m<sup>2</sup> of office floor area minus a credit for the existing service station development on site, in accordance with Plan No1: Ballina Road Contribution Plan.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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40 CHERRY STREET BALLINA,  
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- \$7,961.00 for the provision of planning and administration of section 94 funds, being at the rate of \$6.75 per m<sup>2</sup> of g.f.a minus a credit for the existing service station development on site, in accordance with Plan No.3: Section 94 Planning Studies and Administration.

The development is also required to make a monetary car parking contribution under the provisions of the Ballina Shire Car Parking Contribution Plan 2014 for the equivalent of **17.18** car parking spaces, in lieu of providing publicly accessible car parking spaces within the car parking area on the second floor of the development. Refer to Schedule 1 within this amended consent for the contribution rates applicable at the time of the issue of this amended consent.

**The payment of the monetary car parking contribution is required to be paid prior to the closure of the security gates on Winton Lane.**

These rates are reviewed periodically by Council and the contribution amounts will be calculated at the rate applicable at the time of payment. Copies of the Contribution Plans may be viewed at the Council Chambers, corner of Cherry and Tamar Streets, Ballina.

- 5.5. Car parking spaces  
A minimum of 50 car parking spaces shall be provided and available at all times for parking purposes for the tenancies within the development.
- 5.6 Road dedication/Driveway closure - car parking requirement  
A total of 65 car parking spaces would ordinarily be required to be provided for the development, however as part of the site was required for road widening purposes and also due to the closure of driveways adjoining the development site, a credit of 17.73 car parking spaces is given.

Deleted Conditions

- 2.21 A plan of management is to be provided for the parking area to ensure satisfactory use and safety of the parking area. This plan is to include signage to advise of the parking area, mirrors to assist with safety exiting the parking area onto the public road, and ensuring access and spaces are allocated and available to visitors. Details are to be submitted to and approved by Council prior to the issue of the Construction Certificate.
- 5.7 Parking signposting  
Permanent signposting is to be erected in front of the development stating that visitor parking is available on the site. The car parking spaces shall be clearly designated and kept available for such purpose.

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40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

New Schedule

Schedule 1

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Ballina CBD Car Parking Contribution 2014	4603	per car park not provided	\$26,793.00	17.1800	\$460,303.74

The **Motion LAPSED**.

A **Motion** was moved by Cr Nathan Willis and seconded by Cr Keith Williams

That Council defer this matter to a Councillor briefing in relation to the development application given that the proposed modification may not be a good outcome for the town centre.

An **Amendment** was moved by Cr Sharon Cadwallader and seconded by Cr Phillip Meehan

1. That Council refuse the application to modify development consent 2006/148 as the application is not a good outcome for the town centre and will have a range of detrimental impacts, as identified within this report and that development should provide on-site accessible parking as per the existing consent.
2. That increased signage be placed to advertise the availability of public parking.
3. That the provision for ambulance be removed and be replaced with appropriate disability car parking, subject to Local Traffic Committee approval.

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

FOR VOTE - Cr Phillip Meehan, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Sharon Parry, Cr Nathan Willis and Cr Keith Williams

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

FOR VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Nathan Willis and Cr Keith Williams

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

**270717/8      RESOLVED**

(Cr Sharon Cadwallader/Cr Phillip Meehan)

1. That Council refuse the application to modify development consent 2006/148 as the application is not a good outcome for the town centre and will have a range of detrimental impacts, as identified within this report and that development should provide on-site accessible parking as per the existing consent.
2. That increased signage be placed to advertise the availability of public parking.
3. That the provision for ambulance be removed and be replaced with appropriate disability car parking, subject to Local Traffic Committee approval.

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

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

**270717/9      RESOLVED**

(Cr Keith Williams/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

**270717/10      RESOLVED**

(Cr Keith Williams/Cr Nathan Willis)

That Council notes the contents of the report on development consent and public infrastructure approvals for 1 June 2017 to 30 June 2017.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

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**8.4 Development Applications - Works in Progress - July 2017**

**270717/11      RESOLVED**

(Cr Keith Williams/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

**9.2 Ocean Breeze Reserve - Draft Master Plan**

**270717/12      RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

1. That Council endorses the draft Ocean Breeze Reserve Master Plan for public exhibition for a minimum period of 28 days.
2. That Council concurrently exhibits a proposed amendment to the Ballina Shire Plan of Management for Community Land to insert a special provision recognising the outcomes of the master planning process for Ocean Breeze Reserve.
3. That Council receives a further report concerning the draft master plan and Plan of Management for Community Land amendment following the conclusion of the public exhibition period.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**9.3 LEP Amendment Request - 9 Byron Bay Road, Lennox Head**

**270717/13      RESOLVED**

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council endorses the preparation of a planning proposal to facilitate the rezoning of Lot 2 DP 620838, No. 9 Byron Bay Road, Lennox Head, to an R2 Low Density Residential zone with a minimum lot size requirement of 600m<sup>2</sup>.
2. That Council endorses the incorporation of Lot 1 DP 620838 (Telstra Site) within the planning proposal and the application of either an R2 Low Density Residential zone with a minimum lot size requirement of 600m<sup>2</sup> or an SP2 Infrastructure zone to the land.

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40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

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3. That Telstra be advised of Council's decision and be given a maximum period of eight weeks in which to respond indicating a preferred zoning, and/ or preference to be included within the proposal, failing which the planning proposal be amended prior to exhibition to exclude the Telstra site.
4. That the planning proposal, once prepared, be forwarded to the Department of Planning and Environment for a Gateway determination.
5. That subject to a Gateway determination, allowing the proposal to proceed to community consultation, the planning proposal be placed on public exhibition.
6. That Council give further consideration to the proposal following the conclusion of the public exhibition period.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**9.4 Development Control Plan 2012 - Draft Amendment**

**270717/14      RESOLVED**

(Cr Eoin Johnston/Cr Sharon Parry)

1. That Council proceed to undertake the public exhibition of Draft Amendment No.11 to the Ballina Shire Development Control Plan 2012 (as contained in Attachment One), in accordance with the terms of the *Environmental Planning and Assessment Act* and the associated Regulation.
2. That a further report be submitted to the Council following the public exhibition of Draft Amendment No.11 to the Ballina Shire Development Control Plan 2012.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

**10.1 Investment Summary - June 2017**

**270717/15      RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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40 CHERRY STREET BALLINA,  
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**10.2 Joint Regional Planning Panel - Representation**

**270717/16      RESOLVED**

(Cr Phillip Meehan/Cr Eoin Johnston)

That Council confirms its preferred representation on the Northern Joint Regional Planning Panel is the Mayor, Deputy Mayor and one other Councillor, as an alternative delegate, as elected by the Council.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

Nominations were received from Crs Meehan, Johnston and Cadwallader.

After a show of hands, the voting was as follows:

Cr Meehan – 2 votes

Cr Johnston – 2 votes

Cr Cadwallader – 4 votes

After a draw from the hat between Crs Meehan and Johnston, Cr Meehan was excluded.

After a show of hands for voting between Crs Cadwallader and Johnston, the voting was as follows:

Cr Johnston – 6 votes

Cr Cadwallader – 2 votes

Cr Eoin Johnston was therefore declared elected as Council's alternate delegate to the Joint Regional Planning Panel.

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

A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Nathan Willis)

1. That Council approves the exhibition of the amended Councillor Expenses and Facilities Policy, as per attachment five to this report, for a minimum period of 28 days.

2. That Council authorises the General Manager to convene an Extraordinary meeting for the adoption of this policy and to meet the requirements of Section 252 (1) of the Local Government Act, following the exhibition period.

An **Amendment** was moved by Cr Sharon Cadwallader and seconded by Cr Eoin Johnston

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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---

1. That Council approves the exhibition of the amended Councillor Expenses and Facilities Policy, as per attachment five to this report, for a minimum period of 28 days, subject to the removal of the exclusion of alcohol from the definition of “appropriate refreshments” and associated amendments for the purposes of Clause 9.1.
2. That Council authorises the General Manager to convene an Extraordinary meeting for the adoption of this policy and to meet the requirements of Section 252 (1) of the Local Government Act, following the exhibition period.

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

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Phillip Meehan, Cr Nathan Willis and Cr Keith Williams  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

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

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Phillip Meehan, Cr Nathan Willis and Cr Keith Williams  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**270717/17      RESOLVED**

(Cr Sharon Cadwallader/Cr Eoin Johnston)

1. That Council approves the exhibition of the amended Councillor Expenses and Facilities Policy, as per attachment five to this report, for a minimum period of 28 days, subject to the removal of the exclusion of alcohol from the definition of “appropriate refreshments” and associated amendments for the purposes of Clause 9.1.
2. That Council authorises the General Manager to convene an Extraordinary meeting for the adoption of this policy and to meet the requirements of Section 252 (1) of the Local Government Act, following the exhibition period.

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Phillip Meehan, Cr Nathan Willis and Cr Keith Williams  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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**10.4 Policy (New) - Festivals and Events (Commercial) - Sponsorship**

**270717/18      RESOLVED**

(Cr Nathan Willis/Cr Sharon Parry)

1. That Council adopts the draft Festival and Events (Commercial) – Sponsorship Program Policy, as attached to this report. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.
2. That Council adopts the amended Festival and Events (Community) – Sponsorship Program Policy, as attached to this report. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.
3. That a Festival and Events (Commercial) – Sponsorship Program budget be established for 2018/19 onwards based on a re-allocation of \$15,000 from the existing Festivals and Events (Community) Program budget (currently \$120,000 recurrent).

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

Cr Nathan Willis declared an interest in Item 10.5 and 10.6 and left the meeting at 11.58 am

Cr Keith Williams declared an interest in Items 10.5 and 10.6 and left the meeting at 11:58 am.

**10.5 Donations - Community and Sporting Groups and Public Halls**

**270717/19      RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

1. That Council approves the following Donations – Financial Assistance Program for 2017/18, as outlined in Table One of this report; i.e.

Ref	Organisation / Person	Project / Activity	Amount (\$)
1	Ballina Lions Club	Fundraising for various organisations	1,000
2	Northern Rivers Branch Ulysses Motorcycle Club	Traffic control for the 2017 Toy Run	800
3	Ballina RSL Sub Branch	Council rates for RSL Youth Club 5 Piper Drive, Ballina	Refer to point four of this resolution
4	Ballina Jet Boat Surf Rescue	Insurance and survey costs for rescue vehicles	6,000

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

5	Ballina Jet Boat Surf Rescue	Consumables for rescue vehicles	3,000
6	Northern Rivers Womens Bowling Association Inc	Operational costs towards Lawn Bowls Carnival October 2017	1,000
7	Ballina Breast Cancer Support Group	Room hire at Kentwell Community Centre for meetings	480
8	Lennox Head National Surfing Reserve Assoc Inc	Costs associated with producing a publication regarding Ballina and Lennox Head surfing history to coincide with State Government declaration of the reserve	1,000
9	Australian Native Orchid Society FNC NSW Inc	Annual exhibition held at Ballina Fair costs	490
10	Our Kids	Costs associated with running Our Kids Day Out 2018	1,000
11	Ballina Fox Street Preschool	Costs towards bringing 'Miss Billie Walker' to the preschool	500
12	Wollongbar Community Preschool	Upgrade of playground	2,500
13	United Hospitals Auxiliary Ballina Branch	Hire of a venue for the annual craft show and associated advertising costs	1,100 (venue hire only)
14	Hope Haven Women's Refuge	Purchase of ingredients and preparation of meals for the refuge	1,000
15	Ballina High Schools' Historical Society	Costs associated with archiving and preserving memorabilia	968
16	1 <sup>st</sup> Ballina Scout Group	Costs associated with training leaders	NIL
17	Alstonville Orchid Society Inc	Annual hall hire for shows and meetings	400
18	Ballina Region for Refugees Inc	Public Liability Insurances	NIL
19	Westpac Rescue Helicopter	Lennox Community Markets hall hire and cleaning and rubbish removal	5,000
20	Ballina and District Ministers Assoc	Ballina Riverside Carols	5,000 (previously approved)
21	Lions Club of Lennox Head	Costs associated with holding fundraising BBQs for charities	1,500
22	Alstonville Plateau Historical Society	Requesting Council to pay Rates for Crawford House, Alstonville	Refer to point five of this resolution
23	Michael O'Connor	Repair and reseal car parking area at Empire Vale Post Office	NIL
24	TS Lismore Naval Cadets Unit Support Committee	Requesting Council to pay Rates and Charges (includes rates, services and consumption charges) for Endeavour Close, Ballina	Refer to point six of this resolution
25	Ballina Central Out of School Hours Care	Donation of plants to create a sustainable environmental garden at the centre	In-kind donation from council nursery - 600

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

26	Air Force Association (Ballina Branch) Inc	Shade and seating for Battle of Britain	740
27	Ballina Shire Concert Band	Refund of Band's contribution towards Council's donation of \$20,850 in 2016/17 donations to paint Wigmore Hall (from Capital Works Assistance Community Halls)	NIL
28	Alstonville Rodeo Club	Costs associated with establishing event	2,500
29	Alstonville Baptist Church	Hire of a mobile rock climbing wall and other amusement devices for Alstonville Christmas in the Park	1,500
30	Cancer Council NSW on behalf of Day Time Breast Cancer and General Cancer Groups	Room hire at Kentwell Community Centre for meetings	960
31	Lennox Head Residents' Assoc Coast Care Committee	Purchase of materials, equipment and insurance for maintaining the amenities of Lennox Head	1,000
32	Beach Sounds	Room hire (\$500) and equipment hire (\$320) at the Lennox Community Centre	820 (previously approved)
<b>Total Requests</b>			<b>40,858</b>

2. That Council approves the Donations - Community Halls – Capital Works Assistance for 2017/18, as outlined in Table Two of this report; i.e.

Ref	Organisation	Project / Activity	Amount (\$)
1	Pearces Creek Public Hall inc	Upgrade and repair toilet facilities to provide better access	6,123
2	Ballina Shire Concert Band for Wigmore Hall	Improve acoustics by sound proofing the ceiling and walls in the band area.	5,838
3	Wardell and District War Memorial Hall	Internal painting of the hall.	7,000
4	Rous Mill and District Memorial Hall Inc	New gutter guard for roof to improve quality of water.	2,720
<b>Total</b>			<b>21,681</b>

3. That Council approves the Donations - Community Sporting Groups – Capital Works Assistance for 2017/18, as outlined in Table Three of this report; i.e.

Ref	Organisation	Project / Activity	Amount (\$)
1	(1) Tintenbar Tennis Club	Cost of replacing court matting.	2,750
2	Lennox Longboarders Club	Towards a new trailer to house club's equipment.	2,000
3	Northern Rivers Outrigger Canoe Club	Cost towards providing an underground grid connection to the compound to connect solar as there is currently no electricity connected.	4,917
<b>Total</b>			<b>9,667</b>

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

4. That Council approves a donation to the Ballina RSL Sub-branch (Youth Club) from the Donations – Financial Assistance Program, for an amount of \$4,542, being the 2017/18 Council ordinary rates.
5. That Council approves a donation to the Alstonville Plateau Historical Society from the Donations – Financial Assistance Program, for an amount of \$4,055, being the following 2017/18 rates and charges;

<b>Ordinary</b>	<b>Water Access</b>	<b>W/water Access</b>	<b>Stormwater</b>	<b>Total</b>
3,083	204	718	50	4,055

6. That Council approves a donation to the TS Lismore Naval Cadets Unit Support Committee, from the Donations – Financial Assistance Program, for an amount of \$7,099, being the following 2017/18 rates and charges;

<b>Ordinary</b>	<b>Water Access</b>	<b>W/water Access</b>	<b>Stormwater</b>	<b>Total</b>
6,999	0	0	100	7,099

7. That Council approves a donation of \$4,000 from the Donations – Financial Assistance Program, to the Lennox Head Combined Sports Carols Committee for the Lennox Head Christmas Carols.
8. That the donation to the Tintenbar Tennis Club, in point three above, is subject to the finalisation of lease arrangements with Council.
9. That Council approves the reallocation of any unallocated balance of the 2017/18 Community Halls - Capital Assistance budget (approximately \$19,000) to Council's Community Halls - maintenance budget.
10. That Council approves the reallocation of any unallocated balance of the 2017/18 Community Sporting Groups - Capital Assistance (approximately \$10,000) to Council's Sports Facilities - maintenance budget.
11. That Council review the Donations - Community Halls - Capital Works Assistance and Donations - Community Sporting Groups - Capital Works Assistance policies by 31 December 2017 to ensure, as a minimum, there are clear statements on the subjects of matched funding and funding retrospective projects.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson, Cr Nathan Willis and Cr Keith Williams

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

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**10.6 Donations - Rates and Charges 2017/18**

**270717/20      RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council approves the donation of the 2017/18 rates and charges, as detailed within Tables One and Two of this report, which includes future estimated water consumption and wastewater usage charges, pursuant to Section 356 of the NSW Local Government Act 1993.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson, Cr Nathan Willis and Cr Keith Williams

Cr Nathan Willis and Cr Keith Williams returned to the meeting at 12:05 pm.  
Cr Phillip Meehan left the meeting at 12:06 pm.

**10.7 Delivery Program and Operational Plan - 30 June 2017 Review**

**270717/21      RESOLVED**

(Cr Eoin Johnston/Cr Nathan Willis)

That Council notes the content of this report in respect to the implementation of the 2016/17 Delivery Program and Operational Plan.

Cr Phillip Meehan returned to the meeting at 12:07 pm.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**10.8 Capital Expenditure Program - 30 June 2017 Review**

**270717/22      RESOLVED**

(Cr Nathan Willis/Cr Sharon Parry)

1. That Council notes the contents of this status report on the Capital Expenditure Program for the 2016/17 financial year.
2. That Council notes that a number of projects will be delivered over a timeframe extended beyond one year and that delays do occur due to planning approvals.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

**11. Civil Services Group Reports**

**11.1 Fair Go Skateboard Event**

**270717/23 RESOLVED**

(Cr Sharon Cadwallader/Cr Eoin Johnston)

1. That Council award \$4,000 funding for the 2017 Fair Go Skateboarding events to Truckstop Sk8 and that a finance agreement be executed by the General Manager, including an appropriate acquittal process, subject to there being no spectator or participant entry fee for the skatepark event.
2. That Council receive a report on options for future events.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**11.2 Road Maintenance Works on Private Land - Pricing**

A **Motion** was moved by Cr Keith Williams and seconded by Cr Nathan Willis

That a "road-specific" fee be charged for road maintenance works on private roads, based on 50% of the historic 10 year average maintenance costs per square metre of road, as illustrated in Table One.

Cr Phillip Meehan had previously made a significant non pecuniary declaration of interest in this matter as he is a long term acquaintance of one of the key land holders in Deadmans Creek Road. He now views that declaration as a non significant non pecuniary interest.

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

FOR VOTE - Cr Sharon Parry, Cr Nathan Willis and Cr Keith Williams

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

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**270717/24 RESOLVED**

(Cr Sharon Cadwallader/Cr Phillip Meehan)

1. That Council take no further action to develop a pricing methodology and fee structure as part of its Operational Plan to cover the cost of road maintenance works on private land pursuant to the Local Government Act, Section 67.
2. The reason for this decision is our private works arrangements can be offered to residents to maintain private roads, on a full cost recovery basis to Council.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

3. The General Manager is authorised to implement the remaining elements of the resolutions of Council made at the 27 April and 25 May 2017 meetings of Council, in respect of giving notice of Council's intention to terminate the maintenance services undertaken on private roads.

FOR VOTE - Cr Phillip Meehan, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Sharon Parry, Cr Nathan Willis and Cr Keith Williams

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**11.3 Road Closing - Unformed Public Road - Bartletts Lane**

**270717/25      RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

1. That Council supports the request for a road closing application to proceed for an unformed public road adjacent to and within 197 Bartletts Lane (Lot 7 DP 1035526) at Meerschaum Vale.
2. That Council authorises the Council seal and signatures to be attached to the road closing application and associated documents for the road closing and disposal of the land.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**11.4 Tender - Design, Construction and Installation of Five Pontoons**

**270717/26      RESOLVED**

(Cr Keith Williams/Cr Sharon Cadwallader)

1. That Council accepts the tender for the design, construction and installation of five pontoons, associated with Ballina Shire Council's Boating Now priority maritime infrastructure program to Atlas Marine T/A Superior Jetties.
2. That Council authorises the Council seal to be attached to the contract documents.
3. That Council endorses the proposed changes to the program based on the information outlined in Table B of this report. In summary this refers to revising the design standard for the projects at North Creek and Brunswick Street and possibly advances these projects to final design only, if insufficient funds are available to complete the works.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

**12. Public Question Time**

**12.1 Ralph Moss - Public Meeting - Health of Richmond River**

Ralph Moss – referred to the public meeting held last night at the Surf Club on the health of the Richmond River. There was a motion carried by Council on 10 February about raising money from a special rate variation. Mr Moss questioned the legalities of that resolution. Are you prepared to have a workshop with a print out from last night’s meeting so it can be discussed?

Kerri Watts advised that last night’s presentation was part of Council’s Delivery Program in relation to the special rate variation. Council staff are working with the other councils who are also responsible for river health to achieve a combined result. The money received from the special rate variation will be used on actions in Ballina Shire.

**12.2 Lyn Walker - Lake Ainsworth**

Lyn Walker – asked a question of Cr Williams. One year ago you proposed nutrient stripping of Lake Ainsworth. What have you been doing in the past year to progress this?

Cr Williams advised that his proposal was not supported by the Council and it is going nowhere.

**12.3 Ralph Moss - Public Meeting - Health of Richmond River**

Ralph Moss – asked another question over the legalities of the special rate variation to clean up the Richmond River. His view was that Emigrant Creek and Deadmans Creek are in a far worse condition than the Richmond River. Are you prepared to look at getting the print out from last night’s meeting to be discussed in the Chamber about the full legalities of it all?

Kerri Watts advised that the meeting last night was the first of many. There will be further public meetings. Included in Council’s Delivery Program there is money allocated to Emigrant Creek for some works. Council will be developing a Coastal Zone Management Plan for North Creek and submitting a grant application to the Office of Environment and Heritage in the next few months.

Ralph asked if Council was interested in receiving questions from the Ratepayers Association? He was advised yes.

**12.4 Lyn Walker - Lake Ainsworth**

Lyn Walker – she hadn’t heard that Cr William’s proposal had been put to Council and was refused. When was it put to Council?

Cr Williams advised that he recalled about October 2016 when alternative plans were not considered.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

**11.6 Contract Dispute - Swimming Pool Redevelopment**

**270717/27      RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council notes the contents of this report regarding the contract dispute in relation to the Ballina and Alstonville Swimming Pool Redevelopment.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**13.      Notices of Motion**

**13.2 Notice of Motion - Iron Peg**

**270717/28      RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council seek advice from the relevant Government agencies on the merits and approval process needed to replace the Iron Peg at the Boulder Beach Car Park.

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Sharon Cadwallader and the casting vote of the Chair

AGAINST VOTE - Cr Phillip Meehan, Cr Nathan Willis, Cr Keith Williams and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

Cr Nathan Willis declared an interest in Item 13.3 and left the meeting at 1:00 pm.

**13.3 Notice of Motion - Waste Charges - Community Halls**

A **Motion** was moved by Cr Eoin Johnston and seconded by Cr Sharon Parry

That Council amend the Donations - Rates and Charges policy to also include the annual waste collection charges in the donations provided to public halls, with a maximum of one annual charge donated per hall per annum.

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

FOR VOTE - Cr Sharon Parry and Cr Eoin Johnston

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

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Nathan Willis

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

Cr Nathan Willis returned to the meeting at 01:16 pm.

**13.4 Notice of Motion - Single Use Plastic Bags**

A **Motion** was moved by Cr Keith Williams and seconded by Cr Nathan Willis

1. That Council make representations to the LGNSW, the Premier, the relevant Minister and our local members, asking that the NSW State Government introduce legislation to ban single use, plastic shopping bags, including reusable plastic bags and double strength plastic bags, to a level at least consistent with other Governments such as South Australia, Tasmania and ACT and NT.
2. That Council actively promote and encourage the minimisation of the use of single use plastic bags through the Community Connect publication.

An **Amendment** was moved by Cr Sharon Cadwallader

That Council actively promote and encourage the minimisation of the use of single use plastic bags through the Community Connect publication.

The **Amendment LAPSED**.

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

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

AGAINST VOTE - Cr Eoin Johnston

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**270717/29      RESOLVED**

(Cr Keith Williams/Cr Nathan Willis)

1. That Council make representations to the LGNSW, the Premier, the relevant Minister and our local members, asking that the NSW State Government introduce legislation to ban single use, plastic shopping bags, including reusable plastic bags and double strength plastic bags, to a level at least consistent with other Governments such as South Australia, Tasmania and ACT and NT.
2. That Council actively promote and encourage the minimisation of the use of single use plastic bags through the Community Connect publication.

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

AGAINST VOTE - Cr Eoin Johnston

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

**13.5 Notice of Motion - No Advertising Material Stickers**

**270717/30      RESOLVED**

(Cr Nathan Willis/Cr Sharon Parry)

That Council receive a report on the benefits and costs of providing No Advertising Material stickers for distribution throughout the Shire as part of our overall waste minimisation strategy.

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis and Cr Keith Williams

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

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**14. Advisory Committee Minutes**

Nil Items

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

**15.1 Mayoral Meetings**

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

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

An **Amendment** was moved by Cr Sharon Cadwallader

That Council notes the contents of the report on Mayoral meetings and that it be noted that the Mayor did not attend the functions on 22 July (Chamber Awards) and 26 July (Wild Dog Meeting).

The **Amendment LAPSED.**

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**270717/31      RESOLVED**

(Cr Nathan Willis/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright and Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

Adjournment

The Chair declared the meeting at 1.33 pm  
Cr Keith Williams left the meeting during the adjournment.

The meeting resumed at 2.11 pm

**16. Confidential Session**

**270717/32 RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

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.

**16.1 Contract Dispute - Swimming Pool Redevelopment (Confidential)**

**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 this matter involves formal dispute resolution proceedings.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Keith Williams

(The Council moved into Confidential Session at 2.14 pm).

**Open Council**

**270717/33 RESOLVED**

(Cr Nathan Willis/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Keith Williams

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 27/07/17 AT 9.00 AM**

---

(The Council moved into Open Council at 2.29 pm).

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

**16.1 Contract Dispute - Swimming Pool Redevelopment (Confidential)**

**CF270717/1 RECOMMENDED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council notes the confidential information in this report regarding the contract dispute in relation to the Ballina and Alstonville Swimming Pool Redevelopment.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Keith Williams

**Adoption of Recommendation from Confidential Session**

**270717/34 RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr David Wright, Cr Jeff Johnson and Cr Keith Williams

**MEETING CLOSURE**

2.30 pm

The Minutes of the Ordinary Meeting held on 27/07/17 were submitted for confirmation by council on 24 August 2017 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 24 August 2017.