

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/07/19 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 (arrived at 9.39 am), Sharon Cadwallader and Ben Smith.

Paul Hickey (General Manager), John Truman (Director, Civil Services Division), Matthew Wood (Director, Planning and Environmental Health Division), Kelly Brown (Director, Corporate and Community Division) and Sandra Bailey (Secretary) were in attendance.

There were five 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.

**3. Apologies**

Cr Keith Williams had indicated that he would be late to the meeting.

**250719/1 RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That such apology be accepted and leave of absence granted.

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

**4. Confirmation of Minutes**

**250719/2 RESOLVED**

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 27 June 2019.

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

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

- **Cr Phillip Meehan** – declared an interest in Item 8.5 – Planning Proposal – Residential Flat Development. (Nature of Interest: non significant, non pecuniary – a family member made a submission on this matter). He will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Phillip Meehan** – declared an interest in Item 8.9 – Development Applications – Works in Progress and in particular DA 2019/09. (Nature of Interest: significant, non pecuniary - he is a Director of Ballina Jockey Club and the proposed development is on land managed by Club). He will be departing the meeting while the matter is discussed.
- **Cr Nathan Willis** - declared an interest in Item 9.3 – Donations – Community and Sporting Groups – 2019/20. (Nature of Interest: significant pecuniary – he receives referrals from St Vincent de Paul for his work). He will be departing the meeting while the matter is discussed.
- **Cr Nathan Willis** – declared an interest in Item 9.4 – Donation – Rates and Charges – 2019/20. (Nature of Interest: significant, non pecuniary – a political colleague is involved in the governance of the Wollongbar Community Hall). He will be departing the meeting while the matter is discussed.
- **Cr Nathan Willis** – declared an interest in Item 10.2 – Community Property – Lease Renewals. (Nature of Interest: significant, non pecuniary – a political colleague is involved in the governance of the Wollongbar Community Hall). He will be departing the meeting while the matter is discussed.
- **Cr Keith Williams** – later in the meeting declared an Interest in Item 8.3 – LEP Amendment – Farm Gate Retail Activity on Rural Land. (Nature of Interest: non significant, non pecuniary – he operates a business in an RU2 rural landscape zone but his business would not be impacted by this proposal). He remained in the meeting while the matter was discussed and voted on the matter.

There were no reportable political donations.

**6. Deputations**

**Reverend Tim Costello** – spoke in relation to Item 8.8 – Electronic Gaming Machines (by phone).

**Phill Robbins – Commodore – Richmond River Sailing & Rowing Club** – spoke in favour of Item 8.5 – Planning Proposal – Residential Flat Development.

**Tere Sheehan, Cherry Street Bowling Club** – spoke in opposition to Item 8.8 – Electronic Gaming Machines

**7. Mayoral Minutes**

Nil items.

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**8. Planning and Environmental Health Division Reports**

**8.8 Electronic Gaming Machines**

**250719/3 RESOLVED**

(Cr Nathan Willis/Cr Jeff Johnson)

1. That Council writes to the Minister for Liquor and Gaming and local members of parliament to request that Liquor and Gaming NSW increase its efforts in electronic gaming machine monitoring and compliance activities with the aim of minimising the harm resulting from such machines in Ballina Shire.
2. That Council submit a motion to the 2019 Local Government NSW Conference consistent with the following:  
*That LGNSW lobbies the NSW State Government to have Liquor and Gaming NSW undertake increased monitoring and compliance activity in relation to electronic gaming machines and for the outcomes of this increased activity to be reported on to inform local government of the action taken.*

Cr Keith Williams arrived at the meeting at 09:39 am.

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

**8.5 Planning Proposal - Residential Flat Development**

**250719/4 RESOLVED**

(Cr Sharon Cadwallader/Cr Eoin Johnston)

1. That Council amend Planning Proposal BSCPP18/001 – Residential Flat Buildings and Active Frontages in the B3 Zone by incorporating the changes to clause 7.11(4) detailed in this report as well as additional details including consultation results and mapping.
2. That Council authorises the General Manager to proceed to finalise and implement the amended Planning Proposal BSCPP18/001 – Residential Flat Buildings and Active Frontages in the B3 Zone under delegated authority.

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3. That DCP provisions be prepared for Ballina DCP 2012 Chapter 6a (Commercial Development in Ballina Town Centre) in relation to active street frontages for consideration as part of the next scheduled general update to the Ballina Development Control Plan 2012.

FOR VOTE - All Councillors voted unanimously.

**8.1 DA 2019/206 - Variation to 88b Instrument - 79 Plateau Drive**

**250719/5            RESOLVED**

(Cr Ben Smith/Cr Stephen McCarthy)

That this matter be deferred to a site inspection.

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

AGAINST VOTE - Cr Nathan Willis.

**9.1 Use of Council Seal**

**250719/6            RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council affix the Common Seal to the following documents.

US 19/05	Ballina Shire Council Lease to R Mamone for Lot 4 DP 1195515, 18 Fawcett Street, Ballina for a period of five years with a five year option.
US 19/06	Deed of Agreement – Local Court Criminal Proceedings of Ballina Shire Council ats Ballina Sands Pty Ltd

2. That Council as Crown Land Manager, affix the Common Seal to the following documents.

Doc No.	Crown Reserve No.	Occupant (Lessee)	Renewed Tenure
1	R57670 LUMLEY PARK	Alstonville Tennis Club Inc	12 month short-term Licence under s2.20 of the CLM Act at statutory minimum rental
2	R83963 SAUNDERS OVAL	Ballina Community Gardens	12 month short-term Licence under s2.20 of the CLM Act at statutory minimum

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			rental
3	R82927 WILLIAMS RESERVE	Lennox Head Combined Sports Association	12 month short-term Licence under s2.20 of the <i>CLM Act</i> at statutory minimum rental
4	R82164 KINGSFORD SMITH RESERVE	Ballina Seagulls Rugby League Football Club	12 month short-term Licence under s2.20 of the <i>CLM Act</i> at statutory minimum rental

FOR VOTE - All Councillors voted unanimously.

**Adjournment**

The Mayor declared the meeting adjourned at 10.31 am

The meeting resumed at 10.51 am

**8.2 LEP Amendment - 246 to 250 Lismore Road, Wollongbar**

**250719/7          RESOLVED**

(Cr Eoin Johnston/Cr Jeff Johnson)

1. That Council proceed to prepare a planning proposal to amend the Ballina LEP 2012 to include a service station and one retail premises with a gross floor area not exceeding 100m<sup>2</sup> as land uses permitted with development consent in relation to Lot 2 DP 527953, 246 – 250 Lismore Road, Wollongbar.
2. That the planning proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway determination.
3. That the Department of Planning, Industry and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.
4. That upon an affirmative Gateway determination being received from the Department of Planning, Industry and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.
5. That Council receive a further report on the matter following the completion of the public exhibition of the planning proposal.

FOR VOTE - All Councillors voted unanimously.

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Cr Keith Williams, at this stage, declared an interest in Item 8.3. (Nature of Interest: non significant, non pecuniary – he operates a business in an RU2 rural landscape zone but his business would not be impacted by this proposal). He will be remaining in the meeting while the matter is discussed and voting on the matter.

**8.3 LEP Amendment - Farm Gate Retail Activity on Rural Land**

**250719/8            RESOLVED**

(Cr Nathan Willis/Cr Sharon Cadwallader)

1. That Council prepare a planning proposal to introduce provisions into the Ballina Local Environmental Plan 2012 to enable 'industrial retail outlet' as permissible with development consent on land within the RU1 Primary Production zone and RU2 Rural Landscape zone.
2. That the planning proposal include 'industrial retail outlet' as a land use subject to clause 7.9 of the Ballina Local Environmental Plan 2012.
3. That the planning proposal introduce floor space area controls to apply to industrial retail outlets located on rural land consistent with the parameters outlined in this report.
4. That the planning proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway determination.
5. That the Department of Planning, Industry and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.
6. That upon an affirmative Gateway determination being received from the Department of Planning, Industry and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.
7. That Council receive a further report on the matter following the completion of the public exhibition of the planning proposal.
8. That Council prepare complimentary amendments to the Ballina Shire Development Control Plan 2012 and include provisions to clarify the scope of activities considered to be ancillary to agriculture.
9. That the draft amendments to the Ballina Shire Development Control Plan 2012 be reported to Council for further consideration prior to proceeding with the public exhibition of the amendments.

FOR VOTE - All Councillors voted unanimously.

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**8.4 Planning Proposal - 9 Byron Bay Road and Telstra Exchange Site**

**250719/9            RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council endorses the amendment of the Ballina Local Environmental Plan 2012 to rezone Lots 1 and 2 DP 620838, No. 9 Byron Bay Road, Lennox Head, by applying an R2 Low Density Residential zone to the land and a minimum lot size for subdivision of 600m<sup>2</sup> as detailed in Planning Proposal BSCPP 17/009.
2. That Council advises the NSW Department of Planning, Industry and Environment that it does not wish to exercise its delegation to finalise the planning proposal and requests that the Department completes the LEP amendment process.

FOR VOTE - All Councillors voted unanimously.

**8.6 Community Events and Markets on Public Land**

**250719/10           RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council seek a single integrated development consent for markets and community events for three key event sites on a one per year basis for three years.
2. That the first development application be for market and community event activity at Pop Denison Park, with applications to be prepared in years two and three to be determined based on need and circumstances.
3. That Council's Market Guidelines be updated in accordance with the information contained in this report during the 2019/20 financial year.

FOR VOTE - All Councillors voted unanimously.

**8.7 Land Classification - Cnr Stoneyhurst Drive / Sunray Crescent**

**250719/11           RESOLVED**

(Cr Jeff Johnson/Cr Sharon Cadwallader)

That Council classify the land identified as Lot 1 DP 1252778, located on the north-eastern corner of Stoneyhurst Drive and Sunray Crescent, Lennox Head, as operational land under the provisions of the *Local Government Act* 1993 and that this classification takes effect upon the land being transferred into Council's ownership.

FOR VOTE - All Councillors voted unanimously.

Cr Phillip Meehan declared an interest in Item 8.9 and left the meeting at 11:20 am.

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**8.9 Development Applications - Works in Progress - July 2019**

**250719/12      RESOLVED**

(Cr Keith Williams/Cr Sharon Cadwallader)

That Council notes the contents of this report on the status of outstanding development applications for July 2019.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan

Cr Phillip Meehan returned to the meeting at 11:21 am and left again at 11:22 am.

**9. Corporate and Community Division Reports**

**9.2 Investment Summary - June 2019**

**250719/13      RESOLVED**

(Cr Nathan Willis/Cr Sharon Parry)

That Council notes the record of banking and investments for June 2019.

Cr Phillip Meehan returned to the meeting at 11:23 am.

FOR VOTE - All Councillors voted unanimously.

Cr Nathan Willis declared an interest in Item 9.3 and left the meeting at 11:25 am.

**9.3 Donations - Community and Sporting Groups - 2019/20**

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Keith Williams

1. That Council approves the following Donations – Financial Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Junior Chamber of Commerce	Cost of building mobile 'book exchanges' and a 'boomerang bag' bay in River Street, Ballina	300
2	Women's Resource Centre	Venue hire at the Kentwell Community Centre to hold meetings	0
3	The Big Scrub Orchestra/Northern Rivers Community Gateway	Costs associated with providing learning, recording and performing for young, disadvantaged people at Ballina Public School	0
4	Lifeball	Venue hire for members of Lifeball to carry out their activities	1,000



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5	Autism Spectrum Australia (Aspect)	Purchase of an interactive whiteboard for St Joseph's Primary School, Alstonville	0
6	Ballina and District Local History Group	Operating costs required to incorporate and operate a new community group	500
7	Lennox Arts Board Inc.	Venue hire at the Lennox Community Centre to hold cultural events during 2019/20	3,600
8	Rotary Club of Ballina-on-Richmond Inc.	Costs for traffic control/plan required to hold White Ribbon Day Walk	500
9	Oceanic Research Institute Limited	Insurances and purchase of a computer	0
10	Northern River Dirty Wheels Mountain Bike Club	Purchase of two traffic counters and tools to assist with maintenance of the Mountain Bike Park	0
11	Ballina Salt & Light Inc. T/A Ballina Community Men's Shed	Seeking waiver of developer charges for DA 2019/9	Separate report
12	Riding for the Disabled Association	Costs associated with sending the coaching team to a compulsory training workshop	3,000
13	Ballina Schools Historical Society	Costs associated with mounting student honour boards from the old Ballina High School and spotlights in the museum	500
14	Tweed Byron & Ballina Community Transport Inc.	Costs associated with relocating to the FSG premises	0
15	St Vincent De Paul Society	Purchase of commercial grade washers and dryers for 64 Treelands Crescent (formerly Harmony House)	0
16	Sing Australia Ballina	Venue hire at the Northlakes Community Centre to hold meetings	2,000
17	Women in Super Mother's Day Classic - Ballina	Purchase of new banners	1,000
18	Ballina & District Orchid Society	Venue hire costs to hold competitions	600
19	Ballina & District Ministers Associations	Costs associated with holding the Riverside Carols event	5,000
20	Ballina Coastcare Inc.	Costs for land care maintenance and registering a new trailer	317
21	TS Lismore Australian Navy Cadets (rates)	2019/20 rates and charges, 26 Endeavour Close, Ballina (estimate)	0
22	Ballina Bridge Club Incorporated	Costs associated with hosting the Mahjong Festival in 2020	500
23	Ballina Hospital Auxiliary	Venue hire at the Ballina Jockey Club for the annual craft show	1,200
24	Rainbow Region Dragon Boat Club	Costs to run a Level 1 Official course	400
25	Lennox Longboarders Club	Replace shade tents	900
26	Ballina Lions Club Inc.	Costs associated with running the 2019 Annual Fun Run Walk	1,000
27	Air Force Association Ballina Branch Inc.	Cost to provide shade for members of the public attending the Battle for Australia and Battle of Britain service	790
28	Ballina Jet Boat Surf Rescue Inc.	Consumables and maintenance items for rescue vehicles	3,000
29	Ballina Jet Boat Surf Rescue Inc.	Insurances and renewals for rescue vehicles	6,000
30	Tintenbar School of Arts Inc.	Reimbursement for works carried out on the road leading up to the Tintenbar Hall	0
31	Ballina Country Music Club Inc.	Costs associated with holding fundraising events to raise funds for Ballina SES	2,000
32	Ballina Shire Concert Band	Purchase of two new wall mounted air	2,000

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	Inc.	conditioners for the band practice room	
33	Bundjalung Connections	Costs associated with women's team participation in the NSW Aboriginal Knock Out Carnival in October 2019	0
34	Ballina Al-Anon Family Group	Venue hire at the Richmond Room for meetings	780
35	Ballina Breast Cancer Support	Venue hire at the Kentwell Community Centre for meetings	360
36	Grow Inc.	Venue hire for meetings	0
37	Our Kids	Labour costs to provide temporary fencing for the Kids Day out event in 2020 as required by Council	1,000
38	Lennox Head Residents Association Inc. Boomerang Bags	Venue hire for the group to make environmental friendly bags	330
39	Lennox Head Residents Association Inc. Coast Care Committee	Costs associated with carrying out land care	1,950
40	Lennox Head Residents Association Inc. venue hire	Venue hire for monthly meetings	264
41	Lennox Head Combined Sports Carols Committee	Costs associated with holding the Christmas Carols in the Park at Lennox Head	5,000
42	Veterans Advocacy Centre Inc.	Purchase of a more cost effective telecommunication system	2,500
43	Little Dragons Integrated Community Group (Ms Suzanne Whiteman)	Subsidise costs associated with holding community events	0
44	Lennox Head Landcare	Purchase of a gazebo for protection during community plantings	750
45	Lions Club of Lennox Head	Costs associated with fundraising for various charities	1,000
46	Alstonville Baptist Church	Costs associated with holding the Christmas on the Plateau event	5,000
47	Lennox Community Gardens Inc.	Contribution towards the community garden's water charges	0
48	Sprung Integrated Dance Theatre Inc.	Costs associated with the 2019 audit against the National Disability Insurance Scheme Practice Standards	2,000
49	Alstonville Plateau Historical Society Inc. (rates)	2019/20 rates and charges for Crawford House (estimate)	4,475
50	Lennox Head Residents Association Inc. Heritage Committee	Venue hire at the Lennox Community Centre to hold meetings	447
51	Westpac Life Saver Rescue Helicopter	Costs associated with running the Lennox Head Community Markets	1,200
52	Wollongbar Community Preschool Inc.	Cost of constructing and installing an outdoor shed to store equipment	1,000
53	Cabbage Tree Island RLFC	Accommodation and travel costs for teams selected for the Knock Out Carnival	2,000
54	Rous Mill & District Memorial Hall Inc.	Costs towards painting interior fixtures at the Hall	1,000
55	Meerschaum Vale Hall Committee	Costs towards restoring timber floor and stage in the Hall	1,000
56	Alstonville Maguires Creek Landcare	Costs associated with land care maintenance	1,000
57	Wardell Sporting Recreation Club Ltd (Wardell Grounds Trust)	Purchase zero turn Ferris 72in cut mower for maintaining the grounds at the Club	0
58	Tibouchina RSL Day Club	Venue hire at the ALEC and other ongoing	2,500

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		costs	
59	Rous Public School	Costs associated with holding the annual bonfire for the community	0
60	Ballina RSL Sub Branch	Costs associated with centenary celebrations	2,000
61	Ballina Charity Quilters	Costs associated with venue hire Northlakes Hall	1,560
	<b>TOTAL</b>		<b>75,223</b>

2. That Council approves the two late applications for the 2019/20 Community Donations, bringing the total allocation to \$77,858.

- Ballina Lighthouse RSL Day Care Club – \$1,920
- Northlakes Sewing Group – \$715

3. That Council approves the following Donations – Community Sporting Groups Capital Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Hockey Club Inc.	Supply and installation of roof-top ventilators on the clubhouse roof above the canteen and storerooms	1,410
2	Rous Mill Recreation Reserve	Costs towards renovating the existing tennis shed on Rous Cemetery Road	0
3	Fripp Oval Sports Club Inc.	Purchase of a 6kw solar system for the Club	3,000
4	Ballina Rugby Union Club	Assistance towards costs of works associated with development consent DA 2018/153	10,000
5	Alstonville Tennis Club	Costs to replace two courts at the Alstonville Tennis Club with synthetic grass	0
6	Ballina Netball Association Inc.	Purchase of aluminium seating for the Netball Association	0
7	Alstonville Junior Cricket Club	Costs for various repairs and installations needed by the Club	7,500
	<b>TOTAL</b>		<b>21,910</b>

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

1. That Council approves the following Donations – Financial Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Junior Chamber of Commerce	Cost of building mobile 'book exchanges' and a 'boomerang bag' bay in River Street, Ballina	300
2	Women's Resource Centre	Venue hire at the Kentwell Community Centre to hold meetings	0

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3	The Big Scrub Orchestra/Northern Rivers Community Gateway	Costs associated with providing learning, recording and performing for young, disadvantaged people at Ballina Public School	0
4	Lifeball	Venue hire for members of Lifeball to carry out their activities	1,000
5	Autism Spectrum Australia (Aspect)	Purchase of an interactive whiteboard for St Joseph's Primary School, Alstonville	0
6	Ballina and District Local History Group	Operating costs required to incorporate and operate a new community group	500
7	Lennox Arts Board Inc.	Venue hire at the Lennox Community Centre to hold cultural events during 2019/20	3,600
8	Rotary Club of Ballina-on-Richmond Inc.	Costs for traffic control/plan required to hold White Ribbon Day Walk	500
9	Oceanic Research Institute Limited	Insurances and purchase of a computer	0
10	Northern River Dirty Wheels Mountain Bike Club	Purchase of two traffic counters and tools to assist with maintenance of the Mountain Bike Park	0
11	Ballina Salt & Light Inc. T/A Ballina Community Men's Shed	Seeking waiver of developer charges for DA 2019/9	Separate report
12	Riding for the Disabled Association	Costs associated with sending the coaching team to a compulsory training workshop	3,000
13	Ballina Schools Historical Society	Costs associated with mounting student honour boards from the old Ballina High School and spotlights in the museum	500
14	Tweed Byron & Ballina Community Transport Inc.	Costs associated with relocating to the FSG premises	0
15	St Vincent De Paul Society	Purchase of commercial grade washers and dryers for 64 Treelands Crescent (formerly Harmony House)	0
16	Sing Australia Ballina	Venue hire at the Northlakes Community Centre to hold meetings	2,000
17	Women in Super Mother's Day Classic - Ballina	Purchase of new banners	1,000
18	Ballina & District Orchid Society	Venue hire costs to hold competitions	600
19	Ballina & District Ministers Associations	Costs associated with holding the Riverside Carols event	5,000
20	Ballina Coastcare Inc.	Costs for land care maintenance and registering a new trailer	317
21	TS Lismore Australian Navy Cadets (rates)	2019/20 rates and charges, 26 Endeavour Close, Ballina (estimate)	0
22	Ballina Bridge Club Incorporated	Costs associated with hosting the Mahjong Festival in 2020	500
23	Ballina Hospital Auxiliary	Venue hire at the Ballina Jockey Club for the annual craft show	1,200
24	Rainbow Region Dragon Boat Club	Costs to run a Level 1 Official course	400
25	Lennox Longboarders Club	Replace shade tents	900
26	Ballina Lions Club Inc.	Costs associated with running the 2019 Annual Fun Run Walk	1,000
27	Air Force Association Ballina Branch Inc.	Cost to provide shade for members of the public attending the Battle for Australia and Battle of Britain service	790
28	Ballina Jet Boat Surf Rescue Inc.	Consumables and maintenance items for rescue vehicles	3,000

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29	Ballina Jet Boat Surf Rescue Inc.	Insurances and renewals for rescue vehicles	6,000
30	Tintenbar School of Arts Inc.	Reimbursement for works carried out on the road leading up to the Tintenbar Hall	0
31	Ballina Country Music Club Inc.	Costs associated with holding fundraising events to raise funds for Ballina SES	2,000
32	Ballina Shire Concert Band Inc.	Purchase of two new wall mounted air conditioners for the band practice room	2,000
33	Bundjalung Connections	Costs associated with women's team participation in the NSW Aboriginal Knock Out Carnival in October 2019	0
34	Ballina Al-Anon Family Group	Venue hire at the Richmond Room for meetings	780
35	Ballina Breast Cancer Support	Venue hire at the Kentwell Community Centre for meetings	360
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54	Rous Mill & District Memorial Hall Inc.	Costs towards painting interior fixtures at the Hall	1,000

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40 CHERRY STREET BALLINA,  
ON 25/07/19 AT 9.00 AM**

55	Meerschaum Vale Hall Committee	Costs towards restoring timber floor and stage in the Hall	1,000
56	Alstonville Maguires Creek Landcare	Costs associated with land care maintenance	1,000
57	Wardell Sporting Recreation Club Ltd (Wardell Grounds Trust)	Purchase zero turn Ferris 72in cut mower for maintaining the grounds at the Club	0
58	Tibouchina RSL Day Club	Venue hire at the ALEC and other ongoing costs	2,500
59	Rous Public School	Costs associated with holding the annual bonfire for the community	0
60	Ballina RSL Sub Branch	Costs associated with centenary celebrations	2,000
61	Ballina Charity Quilters	Costs associated with venue hire Northlakes Hall	1,560
<b>TOTAL</b>			<b>76,023</b>

2. That Council approves the two late applications for the 2019/20 Community Donations, bringing the total allocation to \$77,858.

- Ballina Lighthouse RSL Day Care Club – \$1,920
- Northlakes Sewing Group – \$715

3. That Council approves the following Donations – Community Sporting Groups Capital Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Hockey Club Inc.	Supply and installation of roof-top ventilators on the clubhouse roof above the canteen and storerooms	1,410
2	Rous Mill Recreation Reserve	Costs towards renovating the existing tennis shed on Rous Cemetery Road	0
3	Fripp Oval Sports Club Inc.	Purchase of a 6kw solar system for the Club	3,000
4	Ballina Rugby Union Club	Assistance towards costs of works associated with development consent DA 2018/153	10,000
5	Alstonville Tennis Club	Costs to replace two courts at the Alstonville Tennis Club with synthetic grass	0
6	Ballina Netball Association Inc.	Purchase of aluminium seating for the Netball Association	0
7	Alstonville Junior Cricket Club	Costs for various repairs and installations needed by the Club	7,500
<b>TOTAL</b>			<b>21,910</b>

The **Amendment LAPSED**.

An **Amendment** was moved by Cr Eoin Johnston

1. That Council approves the following Donations – Financial Assistance Program for 2019/20.

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Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Junior Chamber of Commerce	Cost of building mobile 'book exchanges' and a 'boomerang bag' bay in River Street, Ballina	300
2	Women's Resource Centre	Venue hire at the Kentwell Community Centre to hold meetings	0
3	The Big Scrub Orchestra/Northern Rivers Community Gateway	Costs associated with providing learning, recording and performing for young, disadvantaged people at Ballina Public School	0
4	Lifeball	Venue hire for members of Lifeball to carry out their activities	1,000
5	Autism Spectrum Australia (Aspect)	Purchase of an interactive whiteboard for St Joseph's Primary School, Alstonville	0
6	Ballina and District Local History Group	Operating costs required to incorporate and operate a new community group	500
7	Lennox Arts Board Inc.	Venue hire at the Lennox Community Centre to hold cultural events during 2019/20	3,600
8	Rotary Club of Ballina-on-Richmond Inc.	Costs for traffic control/plan required to hold White Ribbon Day Walk	500
9	Oceanic Research Institute Limited	Insurances and purchase of a computer	0
10	Northern River Dirty Wheels Mountain Bike Club	Purchase of two traffic counters and tools to assist with maintenance of the Mountain Bike Park	0
11	Ballina Salt & Light Inc. T/A Ballina Community Men's Shed	Seeking waiver of developer charges for DA 2019/9	Separate report
12	Riding for the Disabled Association	Costs associated with sending the coaching team to a compulsory training workshop	3,000
13	Ballina Schools Historical Society	Costs associated with mounting student honour boards from the old Ballina High School and spotlights in the museum	500
14	Tweed Byron & Ballina Community Transport Inc.	Costs associated with relocating to the FSG premises	0
15	St Vincent De Paul Society	Purchase of commercial grade washers and dryers for 64 Treelands Crescent (formerly Harmony House)	0
16	Sing Australia Ballina	Venue hire at the Northlakes Community Centre to hold meetings	2,000
17	Women in Super Mother's Day Classic - Ballina	Purchase of new banners	1,000
18	Ballina & District Orchid Society	Venue hire costs to hold competitions	600
19	Ballina & District Ministers Associations	Costs associated with holding the Riverside Carols event	5,000
20	Ballina Coastcare Inc.	Costs for land care maintenance and registering a new trailer	317
21	TS Lismore Australian Navy Cadets (rates)	2019/20 rates and charges, 26 Endeavour Close, Ballina (estimate)	0
22	Ballina Bridge Club Incorporated	Costs associated with hosting the Mahjong Festival in 2020	500
23	Ballina Hospital Auxiliary	Venue hire at the Ballina Jockey Club for the annual craft show	1,200
24	Rainbow Region Dragon Boat Club	Costs to run a Level 1 Official course	400

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ON 25/07/19 AT 9.00 AM**

25	Lennox Longboarders Club	Replace shade tents	900
26	Ballina Lions Club Inc.	Costs associated with running the 2019 Annual Fun Run Walk	1,000
27	Air Force Association Ballina Branch Inc.	Cost to provide shade for members of the public attending the Battle for Australia and Battle of Britain service	790
28	Ballina Jet Boat Surf Rescue Inc.	Consumables and maintenance items for rescue vehicles	3,000
29	Ballina Jet Boat Surf Rescue Inc.	Insurances and renewals for rescue vehicles	6,000
30	Tintenbar School of Arts Inc.	Reimbursement for works carried out on the road leading up to the Tintenbar Hall	0
31	Ballina Country Music Club Inc.	Costs associated with holding fundraising events to raise funds for Ballina SES	2,000
32	Ballina Shire Concert Band Inc.	Purchase of two new wall mounted air conditioners for the band practice room	2,000
33	Bundjalung Connections	Costs associated with women's team participation in the NSW Aboriginal Knock Out Carnival in October 2019	0
34	Ballina Al-Anon Family Group	Venue hire at the Richmond Room for meetings	780
35	Ballina Breast Cancer Support	Venue hire at the Kentwell Community Centre for meetings	360
36	Grow Inc.	Venue hire for meetings	0
37	Our Kids	Labour costs to provide temporary fencing for the Kids Day out event in 2020 as required by Council	1,000
38	Lennox Head Residents Association Inc. Boomerang Bags	Venue hire for the group to make environmental friendly bags	330
39	Lennox Head Residents Association Inc. Coast Care Committee	Costs associated with carrying out land care	1,950
40	Lennox Head Residents Association Inc. venue hire	Venue hire for monthly meetings	264
41	Lennox Head Combined Sports Carols Committee	Costs associated with holding the Christmas Carols in the Park at Lennox Head	5,000
42	Veterans Advocacy Centre Inc.	Purchase of a more cost effective telecommunication system	2,500
43	Little Dragons Integrated Community Group (Ms Suzanne Whiteman)	Subsidise costs associated with holding community events	0
44	Lennox Head Landcare	Purchase of a gazebo for protection during community plantings	750
45	Lions Club of Lennox Head	Costs associated with fundraising for various charities	1,000
46	Alstonville Baptist Church	Costs associated with holding the Christmas on the Plateau event	5,000
47	Lennox Community Gardens Inc.	Contribution towards the community garden's water charges	0
48	Sprung Integrated Dance Theatre Inc.	Costs associated with the 2019 audit against the National Disability Insurance Scheme Practice Standards	2,000
49	Alstonville Plateau Historical Society Inc. (rates)	2019/20 rates and charges for Crawford House (estimate)	4,475
50	Lennox Head Residents Association Inc. Heritage Committee	Venue hire at the Lennox Community Centre to hold meetings	447
51	Westpac Life Saver	Costs associated with running the Lennox	1,200



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40 CHERRY STREET BALLINA,  
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	Rescue Helicopter *	Head Community Markets	
52	Wollongbar Community Preschool Inc.*	Cost of constructing and installing an outdoor shed to store equipment	1,000
53	Cabbage Tree Island RLFC	Accommodation and travel costs for teams selected for the Knock Out Carnival	2,000
54	Rous Mill & District Memorial Hall Inc.	Costs towards painting interior fixtures at the Hall	1,000
55	Meerschaum Vale Hall Committee	Costs towards restoring timber floor and stage in the Hall	1,000
56	Alstonville Maguires Creek Landcare	Costs associated with land care maintenance	1,000
57	Wardell Sporting Recreation Club Ltd (Wardell Grounds Trust)*	Purchase zero turn Ferris 72in cut mower for maintaining the grounds at the Club	0
58	Tibouchina RSL Day Club	Venue hire at the ALEC and other ongoing costs	2,500
59	Rous Public School	Costs associated with holding the annual bonfire for the community	0
60	Ballina RSL Sub Branch	Costs associated with centenary celebrations	2,000
61	Ballina Charity Quilters	Costs associated with venue hire Northlakes Hall	1,560
	<b>TOTAL</b>		<b>75,223</b>

2. That Council approves the two late applications for the 2019/20 Community Donations, bringing the total allocation to \$77,858.

- Ballina Lighthouse RSL Day Care Club – \$1,920
- Northlakes Sewing Group – \$715

3. That Council approves the following Donations – Community Sporting Groups Capital Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Hockey Club Inc.	Supply and installation of roof-top ventilators on the clubhouse roof above the canteen and storerooms	1,410
2	Rous Mill Recreation Reserve	Costs towards renovating the existing tennis shed on Rous Cemetery Road	8,000
3	Fripp Oval Sports Club Inc.	Purchase of a 6kw solar system for the Club	3,000
4	Ballina Rugby Union Club	Assistance towards costs of works associated with development consent DA 2018/153	10,000
5	Alstonville Tennis Club	Costs to replace two courts at the Alstonville Tennis Club with synthetic grass	0
6	Ballina Netball Association Inc.	Purchase of aluminium seating for the Netball Association	0
7	Alstonville Junior Cricket Club	Costs for various repairs and installations needed by the Club	7,500
	<b>TOTAL</b>		<b>29,910</b>

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40 CHERRY STREET BALLINA,  
ON 25/07/19 AT 9.00 AM**

The **Amendment LAPSED**.

The **Motion was CARRIED**.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Nathan Willis

**250719/14 RESOLVED**

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council approves the following Donations – Financial Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Junior Chamber of Commerce	Cost of building mobile 'book exchanges' and a 'boomerang bag' bay in River Street, Ballina	300
2	Women's Resource Centre	Venue hire at the Kentwell Community Centre to hold meetings	0
3	The Big Scrub Orchestra/Northern Rivers Community Gateway	Costs associated with providing learning, recording and performing for young, disadvantaged people at Ballina Public School	0
4	Lifeball	Venue hire for members of Lifeball to carry out their activities	1,000
5	Autism Spectrum Australia (Aspect)	Purchase of an interactive whiteboard for St Joseph's Primary School, Alstonville	0
6	Ballina and District Local History Group	Operating costs required to incorporate and operate a new community group	500
7	Lennox Arts Board Inc.	Venue hire at the Lennox Community Centre to hold cultural events during 2019/20	3,600
8	Rotary Club of Ballina-on-Richmond Inc.	Costs for traffic control/plan required to hold White Ribbon Day Walk	500
9	Oceanic Research Institute Limited	Insurances and purchase of a computer	0
10	Northern River Dirty Wheels Mountain Bike Club	Purchase of two traffic counters and tools to assist with maintenance of the Mountain Bike Park	0
11	Ballina Salt & Light Inc. T/A Ballina Community Men's Shed *	Seeking waiver of developer charges for DA 2019/9	Separate report
12	Riding for the Disabled Association	Costs associated with sending the coaching team to a compulsory training workshop	3,000
13	Ballina Schools Historical Society	Costs associated with mounting student honour boards from the old Ballina High School and spotlights in the museum	500
14	Tweed Byron & Ballina Community Transport Inc.	Costs associated with relocating to the FSG premises	0
15	St Vincent De Paul Society	Purchase of commercial grade washers and dryers for 64 Treelands Crescent (formerly Harmony House)	0
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18	Ballina & District Orchid Society	Venue hire costs to hold competitions	600
19	Ballina & District Ministers Associations	Costs associated with holding the Riverside Carols event	5,000
20	Ballina Coastcare Inc.	Costs for land care maintenance and registering a new trailer	317
21	TS Lismore Australian Navy Cadets (rates)	2019/20 rates and charges, 26 Endeavour Close, Ballina (estimate)	0
22	Ballina Bridge Club Incorporated	Costs associated with hosting the Mahjong Festival in 2020	500
23	Ballina Hospital Auxiliary	Venue hire at the Ballina Jockey Club for the annual craft show	1,200
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25	Lennox Longboarders Club	Replace shade tents	900
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27	Air Force Association Ballina Branch Inc.	Cost to provide shade for members of the public attending the Battle for Australia and Battle of Britain service	790
28	Ballina Jet Boat Surf Rescue Inc.	Consumables and maintenance items for rescue vehicles	3,000
29	Ballina Jet Boat Surf Rescue Inc.	Insurances and renewals for rescue vehicles	6,000
30	Tintenbar School of Arts Inc.	Reimbursement for works carried out on the road leading up to the Tintenbar Hall	0
31	Ballina Country Music Club Inc.	Costs associated with holding fundraising events to raise funds for Ballina SES	2,000
32	Ballina Shire Concert Band Inc.	Purchase of two new wall mounted air conditioners for the band practice room	2,000
33	Bundjalung Connections	Costs associated with women's team participation in the NSW Aboriginal Knock Out Carnival in October 2019	0
34	Ballina Al-Anon Family Group	Venue hire at the Richmond Room for meetings	780
35	Ballina Breast Cancer Support	Venue hire at the Kentwell Community Centre for meetings	360
36	Grow Inc.	Venue hire for meetings	0
37	Our Kids	Labour costs to provide temporary fencing for the Kids Day out event in 2020 as required by Council	1,000
38	Lennox Head Residents Association Inc. Boomerang Bags	Venue hire for the group to make environmental friendly bags	330
39	Lennox Head Residents Association Inc. Coast Care Committee	Costs associated with carrying out land care	1,950
40	Lennox Head Residents Association Inc. venue hire	Venue hire for monthly meetings	264
41	Lennox Head Combined Sports Carols Committee	Costs associated with holding the Christmas Carols in the Park at Lennox Head	5,000
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44	Lennox Head Landcare	Purchase of a gazebo for protection during community plantings	750

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HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
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ON 25/07/19 AT 9.00 AM**

45	Lions Club of Lennox Head	Costs associated with fundraising for various charities	1,000
46	Alstonville Baptist Church	Costs associated with holding the Christmas on the Plateau event	5,000
47	Lennox Community Gardens Inc.	Contribution towards the community garden's water charges	0
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49	Alstonville Plateau Historical Society Inc. (rates)	2019/20 rates and charges for Crawford House (estimate)	4,475
50	Lennox Head Residents Association Inc. Heritage Committee	Venue hire at the Lennox Community Centre to hold meetings	447
51	Westpac Life Saver Rescue Helicopter *	Costs associated with running the Lennox Head Community Markets	1,200
52	Wollongbar Community Preschool Inc.*	Cost of constructing and installing an outdoor shed to store equipment	1,000
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54	Rous Mill & District Memorial Hall Inc.	Costs towards painting interior fixtures at the Hall	1,000
55	Meerschaum Vale Hall Committee	Costs towards restoring timber floor and stage in the Hall	1,000
56	Alstonville Maguires Creek Landcare	Costs associated with land care maintenance	1,000
57	Wardell Sporting Recreation Club Ltd (Wardell Grounds Trust)*	Purchase zero turn Ferris 72in cut mower for maintaining the grounds at the Club	0
58	Tibouchina RSL Day Club	Venue hire at the ALEC and other ongoing costs	2,500
59	Rous Public School	Costs associated with holding the annual bonfire for the community	0
60	Ballina RSL Sub Branch	Costs associated with centenary celebrations	2,000
61	Ballina Charity Quilters	Costs associated with venue hire Northlakes Hall	1,560
	<b>TOTAL</b>		<b>75,223</b>

2. That Council approves the two late applications for the 2019/20 Community Donations, bringing the total allocation to \$77,858.

- Ballina Lighthouse RSL Day Care Club – \$1,920
- Northlakes Sewing Group – \$715

3. That Council approves the following Donations – Community Sporting Groups Capital Assistance Program for 2019/20.

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Ballina Hockey Club Inc.	Supply and installation of roof-top ventilators on the clubhouse roof above the canteen and storerooms	1,410
2	Rous Mill Recreation	Costs towards renovating the existing	0

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/07/19 AT 9.00 AM**

	Reserve	tennis shed on Rous Cemetery Road	
3	Fripp Oval Sports Club Inc.	Purchase of a 6kw solar system for the Club	3,000
4	Ballina Rugby Union Club	Assistance towards costs of works associated with development consent DA 2018/153	10,000
5	Alstonville Tennis Club	Costs to replace two courts at the Alstonville Tennis Club with synthetic grass	0
6	Ballina Netball Association Inc.	Purchase of aluminium seating for the Netball Association	0
7	Alstonville Junior Cricket Club	Costs for various repairs and installations needed by the Club	7,500
	<b>TOTAL</b>		<b>21,910</b>

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Nathan Willis

**9.4 Donation - Rates and Charges - 2019/20**

**250719/15      RESOLVED**

(Cr Jeff Johnson/Cr Sharon Parry)

1. That Council approves the donation of the 2019/20 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.
2. That Council receive a report on an option to review the Donation of Rates and Charges policy to include community gardens.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Nathan Willis

Cr Nathan Willis returned to the meeting at 11:57 am.

**9.5 Policy (New) - Farmland Rating**

A **Motion** was moved by Cr Eoin Johnston and seconded by Cr Keith Williams

1. That Council adopts the exhibited Farmland Rating Policy, as amended, as per Attachment 1 to this report.
2. That the Farmland Rating Policy be amended so that an application for special consideration can be made on the basis that the property would have otherwise met the Minimum Gross Margin criteria when expenditure on Landcare activities, bush regeneration or the introduction of regenerative farming practices are excluded.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/07/19 AT 9.00 AM**

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

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

**250719/16      RESOLVED**

(Cr Sharon Cadwallader/Cr Eoin Johnston)

That Council adopts the exhibited Farmland Rating Policy, as amended, as per Attachment 1 to this report.

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

**9.6      Policy (Review) - Child Protection**

**250719/17      RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council adopts the amended Child Protection Policy, as attached to this report.
2. 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.

FOR VOTE - All Councillors voted unanimously.

**9.7      Lennox Rise - Adjoining Owners' Deed of Agreement**

**250719/18      RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

1. The General Manager is authorised to finalise negotiations with the Lennox Rise Pty Ltd and execute deeds of agreements, execute all easements, plans of subdivision etc. and all other relevant documentation required to satisfy the deed of agreements between Council and Lennox Rise Pty Ltd based on the contents of this report.
2. The General Manager is authorised to grant landowner's consent to lodge an application to modify DA 2014/31.
3. The Council seal is authorised to be attached to the documents, as required, in point one.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
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**9.8 Leasing Update - Shop 11 Wigmore Arcade Complex, Ballina**

**250719/19      RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council notes the contents of this report in respect to the leasing update for Shop 11 at the Wigmore Arcade Complex.

FOR VOTE - All Councillors voted unanimously.

**9.9 Plant Expansion - Funding**

**250719/20      RESOLVED**

(Cr Eoin Johnston/Cr Keith Williams)

1. That Council authorises the inclusion of the acquisition of a smooth drum roller and two three point rollers in the 2019/20 Plant Replacement Program.
2. The funding for these items is to be sourced from a maximum \$500,000 loan and the balance, if needed, from monies held in the Plant Reserve.
3. That Council authorises the Council seal to be attached to the loan documentation in point two.

FOR VOTE - All Councillors voted unanimously.

**9.10 Capital Expenditure - 30 June 2019 Review**

**250719/21      RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council notes the contents of this report in respect to the delivery of the capital expenditure program for 2018/19.
2. That Council receive a report on drainage remediation options for a property in Coogee Street.

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

AGAINST VOTE - Cr Nathan Willis

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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**9.11 Delivery Program and Operational Plan - 30 June 2019 Review**

**250719/22      RESOLVED**

(Cr Ben Smith/Cr Phillip Meehan)

That Council notes the contents of this review of the implementation of the 2018/19 to 2021/22 Delivery Program and 2018/19 Operational Plan.

FOR VOTE - All Councillors voted unanimously.

**10. Civil Services Division Reports**

**10.1 Lake Ainsworth - Surf School Parking**

**250719/23      RESOLVED**

(Cr Phillip Meehan/Cr Sharon Cadwallader)

That Council notes the contents of this report on Surf School Parking and confirms that the preference is to maintain as many public car spaces as possible in the Lake Ainsworth locality due to the popularity of the location.

FOR VOTE - All Councillors voted unanimously.

**10.2 Community Property - Lease Renewals**

**250719/24      RESOLVED**

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council, in accordance with the relevant provisions of the Local Government Act 1993 and associated Regulation, enters into the leases as outlined in Table One of this report.
2. The Council authorises the General Manager to affix the seal to the lease documents and any other documents required to facilitate the tenures proposed to be granted in point one above.
3. That prior to points one and two being actioned, Council undertake the statutory public notification relating to the proposed leases, with a further report to be presented in the event that objections are received.

FOR VOTE - All Councillors voted unanimously.



**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
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**10.3 Tender - Installation of Pavers Ballina CBD Stage 4**

**250719/25      RESOLVED**

(Cr Eoin Johnston/Cr Sharon Parry)

1. That Council in accordance with the *Local Government (General) Regulation 2005 Section 178 (1)(b)*, declines to accept any tenders for the Installation of Pavers Ballina CBD Stage 4 for the following reasons;

- The tendered rate exceeds the current budget and pre-tender estimate, and
- The tendered submissions provide relatively poor social and community inclusion.

2. The Council, in accordance with the *Local Government (General) Regulation 2005 Section 178 (3)(e)* authorises the General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to enter into a contract up to the pre-tender estimate.

3. That in accordance with the *Local Government (General) Regulation 2005 Section 178(4)(a)* the reason Council has declined to invite fresh tenders is;

- Under the project program, it is necessary to expedite the award of a suitable paver installation contract
- Direct negotiations increase the opportunity to gain better social and community inclusion
- It is unlikely calling for fresh tenders will result in a different outcome
- Research and inquiries indicate a price at or below the pre-tender estimate can be achieved.

4. That upon the conclusion of negotiations Council authorises the General Manager to execute and affix the Council seal to the relevant contract documents, subject to the contract price being at or below the pre tender estimate.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
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**10.4 Tender - Fire Equipment Inspection, Testing, Maintenance and Reporting**

**250719/26      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council in accordance with the Local Government (General) Regulation 2005 Section 178 (1)(a), accept the tender from Douse Fire that, having regard to all the circumstances, appears to be the most advantageous.
2. That Council authorises the General Manager to execute and affix the Council seal to the relevant contract documents.

FOR VOTE - All Councillors voted unanimously.

**Adjournment for Public Question Time**

The Mayor declared the meeting adjourned at 12.46 pm for Public Question Time.

The meeting resumed at 12.48 pm

**11. Notices of Motion**

**11.1 Notice of Motion - Wollongbar Strategic Plan 2019 - 2039**

**250719/27      RESOLVED**

(Cr Keith Williams/Cr Sharon Parry)

1. That Council receive a report on preferred options for the type and scale of community infrastructure that is to be delivered by Council for Wollongbar, as required by Council's Open Spaces and Community Facilities Developer Contributions Plan.
2. The information sourced from this report will provide clarification as to the community infrastructure needs for Wollongbar, which can then be incorporated into the next review of the Open Spaces and Community Facilities Developer Contributions Plan. This review is scheduled for 2020/21.

FOR VOTE - All Councillors voted unanimously.

**12. Advisory Committee Minutes**

Nil Items

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/07/19 AT 9.00 AM**

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

**13.1 Mayoral Meetings**

**250719/28 RESOLVED**

(Cr Nathan Willis/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

**14. Confidential Session**

**250719/29 RESOLVED**

(Cr Nathan Willis/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.

**14.1 Leasing Update - Shop 11 Wigmore Arcade Complex, Ballina**

**Reason for Confidentiality**

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

- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

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 due to the ongoing commercial negotiations and the release of any information may prejudice those negotiations.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 1.13 pm).

**Open Council**

**250719/30 RESOLVED**

(Cr Nathan Willis/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.

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(The Council moved into Open Council at 1.16 pm).

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

**14.1 Leasing Update - Shop 11 Wigmore Arcade Complex, Ballina  
CF250719/1    **RECOMMENDED****

(Cr Keith Williams/Cr Sharon Cadwallader)

That Council authorises the General Manager to implement option one as detailed within this report.

FOR VOTE - All Councillors voted unanimously.

**Adoption of Recommendations from Confidential Session**

**250719/31    **RESOLVED****

(Cr Nathan Willis/Cr Sharon Parry)

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

FOR VOTE - All Councillors voted unanimously.

**MEETING CLOSURE**

1.17 pm

The Minutes of the Ordinary Meeting held on 25/07/19 were submitted for confirmation by council on 22 August 2019 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 22 August 2019.