

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

Attendance

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

Paul Hickey (General Manager), Andrew Smith (Acting Group Manager Development and Environmental Health), Craig Brown (Acting Group Manager Strategic and Community Facilities) and Sandra Bailey (Secretary) were in attendance.

There were four people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Councillors and staff.

2. Acknowledgement of Country

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

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

3. Apologies

Nil

4. Confirmation of Minutes

250118/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 14 December 2017.

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,
ON 25/01/18 AT 9.00 AM**

5. Declarations of Interest and Reportable Political Donations

- **Cr Sharon Cadwallader** – declared an interest in Item 8.1 – Legal Action – Failure to Provide Annual Fire Safety Statement. (Nature of Interest: non significant, non pecuniary – she is the owner of a business which requires an annual statement to be submitted). She will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Sharon Cadwallader** – declared an interest in Item 8.4 – Development Applications – Works In Progress – January 2018, and in particular to DA 2017/662 (1 Johnston Road, Newrybar). (Nature of Interest: non significant, non pecuniary – she is a civil celebrant, however has not performed any ceremonies at the property). She will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Phillip Meehan** – declared an interest in Item 11.1 – Commercial Activities on Public Land – Surf School Licences. (Nature of Interest: non significant, non pecuniary– a family relative of his daughter is a current surf school licence holder). 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 8.1 – Legal Action – Failure to Provide Annual Fire Safety Statement. (Nature of Interest: non significant, non pecuniary – he is the owner of a business which requires an annual statement to be submitted) He will be remaining in the meeting while the matter is discussed and voting on the matter.

There were no reportable political donations.

6. Deputations

- **Terry Prendergast** – spoke in opposition to Item 9.2 – Tosha Falls Management Plan – Finalisation and Adoption.
- **Leslye Mitchell** – spoke in favour of Item 9.2 – Tosha Falls Management Plan – Finalisation and Adoption.
- **Zane Peart** – spoke in favour of Item 9.3 – Lennox Head Village Centre Renewal – Community Engagement.
- **John Curran** – spoke in opposition to Item 8.1 – Legal Action – Failure to Provide Annual Fire Safety Statement.

7. Mayoral Minutes

Nil items.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

9.2 Tosha Falls Management Plan - Finalisation and Adoption

250118/2 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council adopts the Tosha Falls Management Plan as exhibited, subject to incorporation of the amendments set out in Table 7 in this report, subject to point four below.
2. That Council convey letters of appreciation to all key stakeholders for their active participation in the preparation of the draft management plan.
3. That Council confirms that the implementation of the Tosha Falls Management Plan is to be funded in accordance with the approach outlined in Table 5 of this report.
4. That Council engage in further consultation with adjoining landholders regarding Priority 1 Action 5(b) in the plan.

FOR VOTE - All Councillors voted unanimously.

9.3 Lennox Head Village Centre Renewal - Community Engagement

250118/3 RESOLVED

(Cr Phillip Meehan/Cr Ben Smith)

That Council endorses the commencement of Phase 1 of the Lennox Head Village Centre Renewal Project as outlined within this report.

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,
ON 25/01/18 AT 9.00 AM**

8. Development and Environmental Health Group Reports

8.1 Legal Action - Failure to Provide Annual Fire Safety Statement

250118/4 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council notes the report, notes that the documentation was received by Council yesterday, and authorises the General Manager to proceed with any legal action for future breaches if necessary.

FOR VOTE - All Councillors voted unanimously.

8.2 Development Applications – Variation to Development Standards

250118/5 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes that there have been NO applications approved under delegation for variations to development standards less than 10% for December 2017.

FOR VOTE - All Councillors voted unanimously.

8.3 Development Consent and Infrastructure Approvals - December 2017

250118/6 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of the report on development consent and public infrastructure approvals for December 2017.

FOR VOTE - All Councillors voted unanimously.

8.4 Development Applications - Works in Progress - January 2018

250118/7 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of the report on the status of outstanding development applications for January 2018.

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,
ON 25/01/18 AT 9.00 AM**

9. Strategic and Community Facilities Group Reports

9.1 LEP Amendment Request - 23 Compton Drive, East Ballina

250118/8 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council endorses the proposed amendments to the Ballina Local Environmental Plan 2012 as outlined in the planning proposal (BSCPP 17/012 - 23 Compton Drive East Ballina) contained in Attachment 2.
2. That Council submit BSCPP 17/012 - 23 Compton Drive East Ballina to amend the Ballina Local Environmental Plan 2012 to the NSW Department of Planning & Environment for Gateway determination.
3. That the Department of Planning and Environment be advised that Council does not wish to exercise its delegated plan making functions for this LEP amendment as the planning proposal involves Council owned land.
4. That upon an affirmative Gateway determination being received from the Department of Planning and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.
5. That the planning proposal be reported to the Council for further consideration following the completion of the public exhibition of the proposed LEP amendments.

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

AGAINST VOTE - Cr Phillip Meehan

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

10. General Manager's Group Reports

10.1 Use of Council Seal

250118/9 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Council affix the Common Seal to the following documents.

US 18/01	Contract and Transfer documents - Council sale of closed road, (Lot 1 DP 1229059) being part of Hewetson Lane road reserve adjacent to Lot 21 DP 701054, Rous Mill.
US 18/02	Head Licence Agreement between the Minister administering the Crown Lands Act 1989 and Ballina Shire Council commencing on 11 April 2018 for an unlimited period for nominated areas of the Ballina Coastal Reserve for business purposes for low impact commercial recreational activities. This allows Council to sub-licence commercial activities on public land.
US 18/03	Ballina Shire Council Lease to T & J Stewart for 149 River Street, Ballina for a period of two years with a three year option.
US 18/04	Ballina Shire Council Lease to Mr Troy Daley for Shop 11 Wigmore Arcade Ballina for an initial term of two years with two options for further terms of five years each. This lease has been structured to run concurrently with the lease Mr Daley has over Shops 9 and 10 in Wigmore Arcade.

FOR VOTE - All Councillors voted unanimously.

10.2 Investment Summary - December 2017

250118/10 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

10.3 Flat Rock Tent Park - Adoption of Fees and Charges 2018/19

250118/11 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

That Council adopts the draft Flat Rock Tent Park fees and associated notes, as exhibited for 2018/19.

Cr Jeff Johnson left the meeting at 10:03 am.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

Cr Jeff Johnson returned to the meeting at 10:05 am.

10.4 Infrastructure Delivery

250118/12 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council notes the contents of this report regarding notification of a confidential report later in this agenda.

FOR VOTE - All Councillors voted unanimously.

10.5 Councillor Expenses - Six Monthly Review

250118/13 RESOLVED

(Cr Keith Williams/Cr Ben Smith)

That Council notes the contents of this update on the expenditure as per the Councillor Expenses and Facilities Policy.

FOR VOTE - All Councillors voted unanimously.

10.6 Policy (Review) - Councillor Training and Development

250118/14 RESOLVED

(Cr Nathan Willis/Cr Sharon Parry)

1. That Council adopts the amended Councillor Training and Development 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.
3. That Council approves the exhibition of an amendment to the Councillor Expenses and Facilities Policy to recognise that desirable training, delivered locally through the involvement of Council, will not be included in the annual \$5,000 expenditure limit for Councillor training.
4. That Council confirms its topic preference for desirable training delivered locally (i.e. two or a maximum of three topics per annum) for 2018 and 2019 is as follows:
 - Planning Framework
 - Financial Skills
 - Governance
 - Media Skills
 - Strategic Management

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

5. The General Manager is authorised to co-ordinate this training subject to annual budget constraints and the availability of Councillors and the training organisations.
6. That Council notes the contents of the Office of Local Government Circular 17-39 as attached to this report.

FOR VOTE - All Councillors voted unanimously.

10.7 Policy (Review) - Code of Meeting Practice

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Sharon Parry

1. That Council adopts the amended Code of Meeting Practice, as exhibited, as per attachment one to this report.
2. That Council notes the contents of the draft Model Code of Meeting Practice as per Office of Local Government circular 17-40.
3. That Council thanks Dr Walker and the Lennox Head Residents Association in respect to the submissions on the draft Code of Meeting Practice, as exhibited.

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

1. That Council adopts the amended Code of Meeting Practice, as exhibited, as per attachment one to this report, with an amendment that Council adopt a four minute timeframe for speeches by Councillors.
2. That Council notes the contents of the draft Model Code of Meeting Practice as per Office of Local Government circular 17-40.
3. That Council thanks Dr Walker and the Lennox Head Residents Association in respect to the submissions on the draft Code of Meeting Practice, as exhibited.

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

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

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

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

250118/15 RESOLVED

(Cr Phillip Meehan/Cr Sharon Parry)

1. That Council adopts the amended Code of Meeting Practice, as exhibited, as per attachment one to this report, with an amendment that Council adopt a four minute timeframe for speeches by Councillors.
2. That Council notes the contents of the draft Model Code of Meeting Practice as per Office of Local Government circular 17-40.
3. That Council thanks Dr Walker and the Lennox Head Residents Association in respect to the submissions on the draft Code of Meeting Practice, as exhibited.

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

10.8 Delivery Program and Operational Plan - 31 December Review

250118/16 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council notes the content of this report in respect to the 31 December review of the implementation of the 2017/18 Delivery Program and Operational Plan.
2. That Council authorises the General Manager to submit an application to IPART for a special rate variation based on 9.1% in 2018/19 (which is a reduction from the original 9.3% to reflect the confirmed rate peg limit for 2018/19 of 2.3%) and 5.9% in 2019/20.
3. That Council adopts the following minor amendments to the recently adopted Delivery Program (2017/18 to 2020/21), Operational Plan (2017/18) and Long Term Financial Plan:
 - a) Reduction in the actual rate peg limit for 2018/19 from the exhibited figure of 2.5% to 2.3% as per point two above and:
 - b) Inclusion of additional information in the LTFP in respect to the impact of the proposed special rate variation on ratepayers.
4. That Council receives a report on options to fast track the Water Loss Reduction Program.
5. That Council receives a report on the progress of Council's Waste Diversion Program.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

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

Adjournment

The Mayor declared the meeting adjourned at 10.33 am

The meeting resumed at 10.59 am

10.9 Capital Expenditure Program - 31 December 2017 Review

250118/17 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

1. That Council notes the contents of this status report on the Capital Expenditure Program for the 2017/18 financial year.
2. That Council approves the following budget amendments as outlined in the attachments to this report:

Item	Current Budget	Revised Budget	Variation	Comment
Open Spaces and Reserves				
Shade Sails – Ballina Heights	0	30,000	30,000	\$15,000 from general revenue and \$15,000 transfer from the open spaces operating budget
Skennars Head Sports Fields	1,300,000	50,000	(1,250,000)	Transfer to 2018/19
Property – Commercial				
Airport – Terminal Expansion	3,400,000	2,400,000	(1,000,000)	Transfer to 2018/19
Water				
Main Renewals	301,600	100,000	(201,600)	Budget saving – transfer back to reserve
Wastewater				
Main Renewals	200,000	100,000	(100,000)	Budget saving – transfer back to reserve
Trunk Mains – Gravity Main Wollongbar	709,000	409,000	(300,000)	Budget saving – transfer back to reserve
Kings Court - Landscaping	0	50,000	50,000	Funded by transfer from wastewater reserve as per Council resolution
Engineering Works – Stormwater				
Coogee Street, Ballina	15,500	5,500	(10,000)	Fund Killarney works
Grant Street, Ballina	93,300	63,300	(30,000)	Transfer to Roads – Grant Street
Megan Crescent / Dodge Lane	18,000	13,000	(5,000)	Fund Killarney works
Kerr Street	20,000	5,000	(15,000)	Fund Killarney works
Grant Street (Tamar to River St), Ballina	20,000	5,000	(15,000)	Fund Killarney works

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

Killarney Crescent	0	60,000	60,000	Funded by movements above along with \$15,000 from stormwater reserve
Engineering Works – Roads and Bridges				
Grant Street, Ballina	507,500	537,500	30,000	Funded from stormwater budget transfer above
Hutley Drive – Southern Connection	0	183,400	183,400	Funded from developer contributions
Sunnybank Drive, Ballina	207,000	178,000	(29,000)	Transfer to Marom Creek Road
Cherry Street, Ballina	100,000	10,000	(90,000)	Transfer to 2018/19
Burnet Street, Ballina	89,000	1,000	(88,000)	Transfer to 2018/19
Bagotville Road (Segment 50)	321,000	301,000	(20,000)	Transfer to Marom Creek
Marom Creek Devils Elbow	566,400	619,400	53,000	Funded by transfers from other projects listed
Riverbank Road	307,800	288,800	(19,000)	Transfer to Marom Creek and Pimlico Road
Pimlico Road	166,000	181,000	15,000	Funded by transfer from Riverbank Road
Ellis Road	50,000	100,000	50,000	Funded by transfer from roads contingency reserve
Engineering Works – Water Transport				
Brunswick Street Boat Ramp	200,000	0	(200,000)	Transfer to 2018/19
Lennox Head North Creek Road Boat Ramp	136,000	0	(136,000)	Transfer to 2018/19

3. That Council receives a report on the overall stormwater program with particular reference to the salt water tidal events in areas such as Tamar Street and Burns Point Ferry road.

FOR VOTE - All Councillors voted unanimously.

11. Civil Services Group Reports

11.1 Commercial Activities on Public Land - Surf School Licences

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

1. That Council adopts the following fee structure for the renewal of the surf licences issued under the Commercial Activities on Public Land Policy.

Licence Type	2017/18 (ex GST)	Year One (ex GST)	Year Two (ex GST)	Year Three (ex GST)
Surf Schools	3,701.88	4,500	5,500	6,500
Elite Surf Coaching	1,311.72	1,500	1,833	2,166
Stand Up Paddle Boarding	1,311.72	1,500	1,833	2,166

2. That Council renews existing licences for a further three years, subject to satisfactory compliance.
3. That Council call a tender for any vacant licence based on point two above.

The **Motion LAPSED**.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

250118/18 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

1. That Council adopts the following fee structure for the renewal of the surf licences issued under the Commercial Activities on Public Land Policy.

Licence Type	2017/18 (ex GST)	Year One (ex GST)	Year Two (ex GST)	Year Three (ex GST)
Surf Schools	6,500.00	6,500	6,500	6,500
Elite Surf Coaching	1,311.72	1,500	1,833	2,166
Stand Up Paddle Boarding	1,311.72	1,500	1,833	2,166

2. That Council adopts the following tender assessment criteria and weighting to be used in the evaluation of tenders for surf school licences issued under the Commercial Activities on Public Land Policy.

CRITERIA	WEIGHTING (%)
Capacity	25 %
Relevant Experience	25 %
Social and Community Benefit	25 %
Safety and WH&S Systems	25 %

3. That Council investigate options for licensing the hiring of watercraft.

FOR VOTE - All Councillors voted unanimously.

11.2 Road Closing - Section of Riverside Drive, West Ballina

250118/19 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council supports the request for a road closing application to proceed for an unformed public road adjacent to 101 Riverside Drive, West Ballina, as per attachment one to this report.
2. That Council authorises the Council seal and signatures to be attached to the road closing application and associated documents.

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,
ON 25/01/18 AT 9.00 AM**

11.3 Tender - Wollongbar Gravity Sewer Main Upgrade

250118/20 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council accepts the tender from Coastal Works Pty Ltd for the Wollongbar Gravity Sewer Main Upgrade for the tendered amount of \$348,219.94 (ex GST).
2. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

13. Notices of Motion

13.1 Notice of Motion - Bottle Tree Removal

A **Motion** was moved by Cr Nathan Willis and seconded by Cr Eoin Johnston

That Council, as part of the review of the Urban Vegetation on Public Land Policy and the preparation of the significant tree register, engage a suitably qualified consultant, with academic and operational experience in the management of trees, to assist Council in developing a tree management framework that represents best practice.

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

That the Motion be put to the vote.

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

FOR VOTE - All Councillors voted unanimously.

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

FOR VOTE - All Councillors voted unanimously.

250118/21 RESOLVED

(Cr Nathan Willis/Cr Eoin Johnston)

That Council, as part of the review of the Urban Vegetation on Public Land Policy and the preparation of the significant tree register, engage a suitably qualified consultant, with academic and operational experience in the management of trees, to assist Council in developing a tree management framework that represents best practice.

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,
ON 25/01/18 AT 9.00 AM**

14. Advisory Committee Minutes

Nil Items

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

15.1 LGNSW Annual Conference

250118/22 RESOLVED

(Cr Eoin Johnston/Cr Ben Smith)

That Council notes the contents of the report from Cr Johnston on attendance at the LGNSW Annual Conference and that a copy of the report be forwarded to the City of Sydney Council.

FOR VOTE - All Councillors voted unanimously.

15.2 Mayoral Meetings

250118/23 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.

12. Public Question Time

12.1 Dr Lyn Walker - Castle Drive Fig Tree

Dr Lyn Walker – can I have a report on the conversation between Council staff and the arborist recommended by Tamara Smith, Member for Ballina in relation to the Castle Drive Fig Tree.

Paul Hickey advised that Council staff had contacted the arborist and that this person provided other contacts. Council is now working with one of the other contacts to determine whether there are any viable options prior to removing the tree.

12.2 Gabrielle Nieuwenhof - Shark Nets

Gabrielle Nieuwenhof – Is the Council going to stand up to the DPI and remove the shark nets?

Paul Hickey advised that the current Council at this point in time, hasn't adopted a position and has relied on the DPI for their determination on shark nets.

Gabrielle Nieuwenhof - Does the Council realise that the public will be safer in the water if a lot more resources were invested?

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/01/18 AT 9.00 AM**

Paul Hickey advised yes, if a lot more resources were invested in a lot of things, the public would be safer, including in the water.

12.3 Andrew Nieuwenhof - Shark Nets

Andrew Nieuwenhof - Are Councillors aware that the recent images of dead and dying marine life being caught in the shark nets is being streamed on social media? Is this the sort of image Council wants to project for Ballina?

Paul Hickey advised that he was of the opinion that Councillors were aware of this and also aware of the negative media with the previous shark attacks. Council wants to try and obtain the balance between human injuries and impacts on marine life.

12.4 Alex Plumber - Shark Nets

Alex Plumber – does the Council acknowledge that the shark nets, despite marine life being killed, are not known to be effective?

Paul Hickey advised that Council relies on the experts in this field and external agencies, including the DPI for this advice as we have no technical experts on staff.

Alex Plumber Do you rely on statistics?

As per the previous response.

16. Confidential Session

250118/24 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

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

16.1 Infrastructure Delivery (Confidential)

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 as it may prejudice Council's position in commercial negotiations.

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,
ON 25/01/18 AT 9.00 AM**

(The Council moved into Confidential Session at 11.52 am).

Open Council

250118/25 RESOLVED

(Cr Nathan Willis/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 12.10 pm).

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

16.1 Infrastructure Delivery (Confidential)

CF250118/1 RECOMMENDED

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council authorises the General Manager to proceed as per option one of this report.

FOR VOTE - All Councillors voted unanimously.

Adoption of Recommendations from Confidential Session

250118/26 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSURE

12.11 pm

The Minutes of the Ordinary Meeting held on 25/01/18 were submitted for confirmation by council on 22 February 2018 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 22 February 2018.