

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/05/17 AT 9.00 AM**

Attendance

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

Rod Willis (Acting General Manager), Andrew Smith (Acting Group Manager Development and Environmental Health), Paul Tsikleas (Acting Group Manager General Manager's Group), John Truman (Group Manager Civil Services), Matthew Wood (Acting Group Manager Strategic and Community Facilities) and Sandra Bailey (Secretary) were in attendance.

There were 44 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Joan Pickup.

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
(Cr Jeff Johnson was not in attendance at this stage)

4. Confirmation of Minutes

250517/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 27 April 2017, with amendments to Item 11.3 – Road Maintenance Works on Private Land and Item 13.4 – Notice of Motion – Wild Dogs, as follows:

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Item 11.3 - Road Maintenance Works on Private Land

The record of proceedings to read:

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

1. That Council continue to maintain the private access at Council's expense.
2. That Council receive a report on a possible pricing methodology and fee structure regarding this road maintenance.
3. That Council not proceed with including Whytes Lane West on the road maintenance schedule.

270417/12 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

A Motion of Dissent was moved by Cr Keith Williams and seconded by Cr Nathan Willis from the ruling of the Mayor, in allowing a motion involving road maintenance of the public section of Whytes Lane West as Cr Williams was of the opinion that the matter of road maintenance of Whytes Lane West was not on the business paper for this meeting and required a rescission motion to be lodged.

The **Motion of Dissent** was **CARRIED**.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, 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

Cr Phillip Meehan subsequently withdrew the reference to Whytes Lane West in his original motion.

The Motion now reads

1. That Council continue to maintain the private access at Council's expense.
2. That Council receive a report on a possible pricing methodology and fee structure regarding this road maintenance.

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

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

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

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270417/13 RESOLVED

(Cr Jeff Johnson/Cr Sharon Cadwallader)

1. *That Council notes the history of providing road maintenance services on private land at Coolgardie, Whytes Lane West and Deadmans' Creek Road as outlined in this report.*
2. *That based on the contents of this report Council confirms that it now considers these arrangements to be an inappropriate use of public monies as they provide a direct benefit to private persons beyond the level of waste collection service provided by Council for all other residents.*
3. *That Council confirms it will terminate its road maintenance service on private land at Coolgardie and Whytes Lane West, and any other locations that are identified in the future, with a twelve month notice period to residents. Affected residents may elect to receive their waste collection service at a suitable location on a public road, or enter an agreement authorising Council to use the private access, maintained at the owner's expense, for the purpose of providing the waste service.*
4. *That Council receive a further report on Deadmans' Creek Road.*

FOR VOTE - All Councillors voted unanimously.

Item 13.4 - Notice of Motion - Wild Dogs

The correct voting for Resolution 270417/37 is as follows:

270417/37 RESOLVED

(Cr Eoin Johnston/Cr Sharon Cadwallader)

That Council write to the relevant members of Parliament and State Government Agencies seeking a far more proactive approach to address the problem of wild dog control in areas that are known as "peri-urban" regions across our Shire and the Far North Coast.

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

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5. Declarations of Interest and Reportable Political Donations

- **Cr David Wright** – declared an interest in Item 13.1 – Notice of Motion – Proposed Olympic Training Facility at Lennox Head. (Nature of Interest: Significant non pecuniary – he is a member of the Joint Regional Planning Panel and due to a perceived public conflict of interest). He will be departing the meeting while the matter is discussed.
- **Cr Eoin Johnston** – declared an interest in Item 8.2 – DA 2016/690 – 36 Lot Residential Subdivision, Quays Drive. (Nature of Interest: significant non pecuniary – his son works for the Real Estate Agent who will be marketing that property should the application be successful). He will be departing the meeting while the matter is discussed.
- **Cr Eoin Johnston** – declared an interest in Item 8.2 – DA 2016/690 – 36 Lot Residential Subdivision, Quays Drive. (Nature of Interest: He is a Life Member of the Ballina Rugby Union Club, the property which adjoins the property the subject of this Development Application). He will be departing the matter while the meeting is discussed due to his previous disclosure on this item.
- **Cr Phillip Meehan** – declared an interest in Item 11.3 – Road Maintenance on Deadmans Creek Road. (Nature of Interest: Significant non pecuniary – he is a long term acquaintance of one of the key land holders). He will be departing the meeting while the matter is discussed.

There were no reportable political donations.

0.0 Election of Chair

Cr David Wright, Mayor declared an interest in Item 13.1 – Notice of Motion – Proposed Olympic Training Facility at Lennox Head.

As he will be departing the meeting because of his declaration, and in the absence of the Deputy Mayor, Cr Jeff Johnson, the Mayor called for nominations for Chair for this item.

Cr Eoin Johnson nominated Cr Sharon Cadwallader. As there were no other nominations, Cr Sharon Cadwallader was declared Chair for Item 13.1 – Notice of Motion – Proposed Olympic Training Facility at Lennox Head.

Cr David Wright left the meeting at 09:05 am. Cr Sharon Cadwallader chaired the meeting during the deputation from Michelle Shearer.

6. Deputations

- **Michelle Shearer** – spoke in favour of Item 13.1 – Notice of Motion – Proposed Olympic Training Facility at Lennox Head.

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Cr David Wright returned to the meeting at 09:11 am and resumed the Chair.

- **James Nunn** – spoke in opposition to Item 11.2 – Alstonville Wollongbar Skate Park.
- **Bianca Urbina – Wollongbar/Alstonville Skate Park Committee** - spoke in favour of Item 11.2 – Alstonville Wollongbar Skate Park.

Apology

The Mayor advised that he had received a text message from Cr Jeff Johnson advising that he was unable to attend the meeting due to illness and tendered his apology.

250517/2 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That such apology be accepted and leave of absence granted.

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

- **David Felsch** – spoke in opposition to Item 11.1 – Flood Mitigation Options for Dwellings in Rural Areas.
- **Ralph Moss** – spoke in opposition to Item 8.3 – Healthy Waterways Project – Priorities.
- **Dwayne Roberts** – spoke in favour of Item 8.2 – DA 2016/690 – 36 Lot Residential Subdivision, Quays Drive.
- **Steve Connelly** – spoke in favour of Item 9.1 – Planning Proposal – Visions Estate, Henderson Drive, Lennox Head.
- **Steve Connelly** – spoke in favour of Item 9.2 – Planning Proposal – Burns Point Ferry Road, West Ballina.
- **Jennie Thomson** – spoke in opposition to Item 11.3 - Road Maintenance on Deadmans Creek Road.

7. Mayoral Minutes

Nil items.

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Cr David Wright declared an interest in Item 13.1 and left the meeting at 09:55 am. Cr Cadwallader assumed the Chair.

13. Notices of Motion

13.1 Notice of Motion - Proposed Olympic Training Facility at Lennox Head
A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Ben Smith

1. That Ballina Shire Council states it is not supportive of the proposed construction of an Olympic sports training facility (snow ski jump ramps and pool) at the Lake Ainsworth Sport and Recreation Camp (DA 010.2017.00000216.001) due to:
 - The proposed development being in conflict with the objectives of the land zoning that applies to the subject site – BLEP 1987; 7(f) Environmental Protection (Coastal Lands) and 7(a) Environmental Protection (Wetland).
 - The proposed development having an unacceptable visual impact on the coastal landscape of Lennox Head, Lake Ainsworth and Seven Mile Beach.
 - The proposed development not being in the public interest of residents of Lennox Head, Ballina Shire and visitors to the area.
2. That in the normal course of the assessment and determination procedures for the development application that the Council confirm its position and prepare submissions to the Panel and to the Government seeking the abandonment of the project for Lennox Head.

An **Amendment** was moved by Cr Sharon Cadwallader and seconded by Cr Stephen McCarthy

That in the normal course of the assessment and determination procedures for the development application that the Council prepare submissions to the Panel and to the Government following receipt of considered assessment information following completion of the public exhibition of the proposal.

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

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

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

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

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250517/3 RESOLVED

(Cr Phillip Meehan/Cr Ben Smith)

1. That Ballina Shire Council states it is not supportive of the proposed construction of an Olympic sports training facility (snow ski jump ramps and pool) at the Lake Ainsworth Sport and Recreation Camp (DA 010.2017.00000216.001) due to:
 - The proposed development being in conflict with the objectives of the land zoning that applies to the subject site – BLEP 1987; 7(f) Environmental Protection (Coastal Lands) and 7(a) Environmental Protection (Wetland).
 - The proposed development having an unacceptable visual impact on the coastal landscape of Lennox Head, Lake Ainsworth and Seven Mile Beach.
 - The proposed development not being in the public interest of residents of Lennox Head, Ballina Shire and visitors to the area.

2. That in the normal course of the assessment and determination procedures for the development application that the Council confirm its position and prepare submissions to the Panel and to the Government seeking the abandonment of the project for Lennox Head.

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

Cr David Wright returned to the meeting at 10:26 am and resumed the Chair.

10.2 Rotary District Conference

As per Item 10.2 of this agenda, Mr Col Lee gave a presentation to Council on the recent Rotary District Conference.

Adjournment

The Mayor declared the meeting adjourned at 10.30 am

The meeting resumed at 11.01 am

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11.2 Alstonville Wollongbar Skate Park

A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Ben Smith

1. That Council authorises the General Manager to commence detailed design and construction of the Wollongbar skate park in accordance with concept design Option B at the Plateau Drive site.
2. The Council authorises the General Manager to lodge the required application to support point one above.

An **Amendment** was moved by Cr Keith Williams and seconded by Cr Nathan Willis

1. That Council authorises the General Manager to commence detailed design and construction of the Alstonville Wollongbar skate park in accordance with concept design Option B at the Wollongbar Sports Field site.
2. The Council authorises the General Manager to lodge the required application to support point one above.

The Mayor advised that he could not accept the Amendment as it was a direct negative to the Motion.

A Motion of Dissent was moved by Cr Keith Williams and seconded by Cr Nathan Willis from the ruling of the Mayor, in not allowing this Amendment. Cr Williams believed that the Amendment was a legal Amendment and the only matter that was changing was the location.

The **Motion of Dissent** was **CARRIED**.

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

The Amendment now reads

1. That Council authorises the General Manager to commence detailed design and construction of the Alstonville Wollongbar skate park in accordance with concept design Option B at the Wollongbar Sports Field site.
2. The Council authorises the General Manager to lodge the required application to support point one above.

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

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

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

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

250517/4 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

1. That Council authorises the General Manager to commence detailed design and construction of the Alstonville Wollongbar skate park in accordance with concept design Option B at the Wollongbar Sports Field site.
2. The Council authorises the General Manager to lodge the required application to support point one above.

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

11.1 Flood Mitigation Options for Dwellings in Rural Areas

A **Motion** was moved by Cr Phillip Meehan

1. That Council notes the contents of this report.
2. That Council endorses the current Ballina Floodplain Risk Management Study and Risk Management Plan and DCP

The **Motion LAPSED**.

250517/5 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That the General Manager seek feedback from Council's insurer and the NSW Government's Office of Heritage and Environment in respect of a proposal to amend the Ballina Floodplain Risk Management Plan and Development Control Plan for rural land in the lower Richmond area from Boundary Creek to Wardell to enable the construction of pole type dwellings, and this feedback be reported to Council.

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

AGAINST VOTE - Cr Phillip Meehan

ABSENT. DID NOT VOTE - Cr Jeff Johnson

8.3 Healthy Waterways Project - Priorities

250517/6 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

1. That Council receive and note this report and endorse the works, and in particular, the planning work, as outlined for North Creek and the Richmond River.
2. That Council staff continue to connect with stakeholder organisations to take into account their priorities for the project.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

9.2 Planning Proposal - Burns Point Ferry Road, West Ballina

250517/7 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council endorses the amendment of the Ballina Local Environmental Plans 1987 and 2012 to rezone Lot 4 537419, Burns Point Ferry Road, West Ballina, by applying a part R2 Low Density Residential Zone and a part RU2 Rural Landscape Zone to the land, together with associated controls and additional permitted uses as detailed in Planning Proposal BSCPP 14/008.
2. That, in amending the Minimum Lot Size Map in relation to that part of the site proposed to be zoned R2 Low Density Residential Zone, Council endorses a minimum lot size of 450m².
3. That Council resolves to prepare a draft amendment to Ballina Shire Development Control Plan 2012 to introduce site specific controls relating to the future development of Lot 4 DP 537419 for live – work and environmental protection and enhancement purposes.
4. That Council consider a further report once the draft DCP has been prepared and prior to its public exhibition.

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5. That Council authorises the General Manager to proceed to finalise and implement Planning Proposal BSCPP 14/008 under delegated authority subject to the proposed draft DCP amendments being adopted by Council and the Voluntary Planning Agreement being executed and registered on the title of Lot 4 DP 537419.
6. That Council authorises the use of the Common Seal to execute the Voluntary Planning Agreement associated with Planning Proposal BSCPP 14/008.
7. That Council give further consideration to replacing the proposed RU2 Rural Landscape Zone with an environmental protection zone as part of its deferred matters integration program.
8. That upon the planning proposal being finalised Council seek an amendment to the North Coast Regional Plan 2036 so as to remove the sites Investigation Area – Urban Land designation, and amend the Ballina Shire Growth Management Strategy to reflect the extent of the planned urban area.

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

AGAINST VOTE - Cr Phillip Meehan

ABSENT. DID NOT VOTE - Cr Jeff Johnson

Cr Eoin Johnston declared an interest in Item 8.2 left the meeting at 12:20 pm.

8.2 DA 2016/690 - 36 Lot Residential Subdivision, Quays Drive

250517/8 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That DA 2016/690 to undertake a 36 lot residential subdivision and associated works at Lot 71 DP 628164, Quays Drive, West Ballina be granted consent subject to conditions attached to the report.

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr Stephen McCarthy and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eoin Johnston

Cr Eoin Johnston returned to the meeting at 12:25 pm.

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9.1 Planning Proposal - Visions Estate, Henderson Drive, Lennox Head

250517/9 RESOLVED

(Cr Ben Smith/Cr Phillip Meehan)

1. That Council submit the planning proposal for the amendment of the Ballina Local Environmental Plan 2012 (Attachment One), relating to the rezoning of each residential lot and surrounding land in the Visions Estate (other than approved Lot 1 and reconfigured Lot 15 and Lot 7) to R2 Low Density Residential, to the NSW Department of Planning & Environment for Gateway determination.
2. That the Department of Planning and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.
3. 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.

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

Cr Phillip Meehan declared an interest in Item 11.3 and left the meeting at 12:28 pm.

11.3 Road Maintenance on Deadmans Creek Road

250517/10 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council notes the history of providing road maintenance services on private land at Deadmans Creek Road as outlined in this report.
2. That based on the contents of this report Council confirms that it now considers these arrangements to be an inappropriate use of public monies as they provide a direct benefit to private persons beyond the level of waste collection service provided by Council for all other residents.
3. That Council confirms it will terminate its road maintenance service on private land at Deadmans Creek Road, with a twelve month notice period to residents. Affected residents may elect to receive their waste collection service at a suitable location on a public road, or enter an agreement authorising Council to use the private access, maintained at the owner's expense, for the purpose of providing the waste service.

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4. That Council 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.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan and Cr Jeff Johnson

Cr Phillip Meehan returned to the meeting at 12:42 pm.

8. Development and Environmental Health Group Reports

8.1 DA 2016/757 - 111 Tamar Street, Ballina

250517/11 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

That Development Application 2016/757 'Change of Use of Dwelling House and Shed to Community Facility' on Lot C DP 369812 No. 111 Tamar Street, Ballina be **REFUSED** for the following reasons:

1. The proposed development does not provide sufficient car parking on-site to accommodate the proposed land use.
2. The proposed development does not have regard for the objectives of the B3 Commercial Core zone as it has not been demonstrated that it achieves a safe and accessible built environment.
3. The proposed development does not satisfy the car parking requirements of the Ballina Development Control Plan 2012.
4. The proposed development has not made adequate arrangements for the provision of car parking spaces, access arrangements and associated stormwater drainage as required under Clause 7.7 of the Ballina Local Environmental Plan 2012.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

8.4 Development Applications – Variation to Development Standards

250517/12 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

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8.5 Development Consent and Public Infrastructure Approvals - April 2017

250517/13 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

8.6 Development Applications - Works in Progress - May 2017

250517/14 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

12. Public Question Time

Nil

9. Strategic and Community Facilities Group Reports

9.3 Disability Inclusion Action Plan

250517/15 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council endorses the draft Disability Inclusion Action Plan for Ballina Shire for public exhibition.

2. That in the event that no submissions are received, Council adopts the Disability Inclusion Action Plan as exhibited (subject to formatting, typographic and publication adjustments) and authorises publication of the plan to meet the requirements of the NSW State Government.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

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10. General Manager's Group Reports

10.1 Investment Summary - April 2017

250517/16 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

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

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

10.2 Rotary District Conference

250517/17 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the presentation on the 2017 Rotary District Conference.

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

10.3 Richmond Tweed Regional Library Committee - Election of Alternate Delegate

250517/18 RESOLVED

(Cr Ben Smith/Cr Eoin Johnston)

That Council confirm its representation for the Richmond-Tweed Regional Library Committee (RTRL) with our two delegates being Crs Cadwallader and Willis with Cr Eoin Johnston being elected as Council's alternate delegate to the Richmond-Tweed Regional Library Committee.

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

10.5 Russellton Industrial Estate - Adjoining Land Owners Agreement

250517/19 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

That Council notes the contents of this report regarding the Russell Industrial Estate Adjoining Land Owner Agreement.

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

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11. Civil Services Group Reports

11.4 RFT922 Tender for the Hire of Truck, Plant and Traffic Control

250517/20 RESOLVED

(Cr Eoin Johnston/Cr Sharon Parry)

1. That tenders for the Hire of Truck, Plant and Traffic Control discussed in this report be accepted as unit rates and be implemented on a “best advantage to Council” basis in accordance with the specification and other related tender documents.
2. That Council seal is authorised to be attached to any contract documentation associated with this tender.

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

11.5 Policy (Review) - Monuments and Memorials on Public Land

250517/21 RESOLVED

(Cr Eoin Johnston/Cr Sharon Parry)

1. That Council place the amended Monuments and Memorials on Public Land Policy, as attached to this report, on public exhibition.
2. If no responses are received to the public exhibition, the policy will be considered to be adopted by Council. Any responses received will be the subject of a further report to Council.

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

14. Advisory Committee Minutes

Nil Items

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

15.1 Mayoral Meetings

250517/22 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.4 Policy (New) - Related Party Disclosures

250517/23 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council adopts the Related Party Disclosures Policy, as attached to this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.6 Financial Review - 31 March 2017

250517/24 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of the March 2017 Quarterly Budget Review and approves the changes identified within this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

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16. Confidential Session

250517/25 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 Russellton Industrial Estate - Adjoining Land Owners Agreement

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 involves the sale and purchase of land, and payment of compensation.

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

(The Council moved into Confidential Session at 1.17 pm).

Open Council

250517/26 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

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

(The Council moved into Open Council at 1.26 pm).

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/05/17 AT 9.00 AM**

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

16.1 Russellton Industrial Estate - Adjoining Land Owners Agreement

CF250517/1 RECOMMENDED

(Cr Keith Williams/Cr Nathan Willis)

That Council resolve to adopt Option 1 and authorize the General Manager to finalise negotiations with the adjoining land owners, execute and affix the Council seal to the land owner agreements, contracts for sale, and plan of subdivision and classify land acquired by Council as operational land under the provisions of the Local Government Act 1993.

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

Adoption of Recommendation from Confidential Session

250517/27 RESOLVED

(Cr Stephen McCarthy/Cr Nathan Willis)

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

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

MEETING CLOSURE

1.26 pm

The Minutes of the Ordinary Meeting held on 25/05/17 were submitted for confirmation by council on 22 June 2017 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 22 June 2017.