

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/07/18 AT 9.00 AM**

Attendance

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

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

There were 11 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

An apology was received from Cr Ben Smith, Cr Phillip Meehan and Cr Jeff Johnson

260718/1 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

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

4. Confirmation of Minutes

260718/2 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 June 2018.

FOR VOTE - All Councillors voted unanimously.

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

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260718/3 RESOLVED

(Cr Keith Williams/Cr Sharon Parry)

That Council confirms the Minutes of the Extraordinary Meeting of Ballina Shire Council held on Wednesday 4 July 2018 and that the Minutes show Cr Keith Williams voted against Item 5.1 – Rescission Motion – Water Access Charges, and the Motion passed with the casting vote of the Mayor.

FOR VOTE - All Councillors voted unanimously.

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

5. Declarations of Interest and Reportable Political Donations

- **Cr Nathan Willis** – declared an interest in Item 10.4 Donations – Rates and Charges 2018/19 (Nature of Interest: significant, non-pecuniary – he has a political colleague involved with Seabird Rescue). He will be departing the meeting while the matter is discussed.
- **Cr Nathan Willis** – declared an interest in Item 10.3 – Donations – Community and Sporting Groups (Nature of Interest: significant, non-pecuniary – a political colleague is involved in the Wollongbar Community Pre-School and a close friend is involved with the Ballina District Ministers Association). He will be departing the meeting while the matter is discussed.
- **Paul Hickey, General Manager** – declared an interest in Item 11.3 – Roads Contribution Plan Amendment – Post Exhibition Report (Nature of Interest: non-pecuniary, non-significant – a friend has been engaged by Intrapac who have made a submission to the draft plan). He will be departing the meeting while the matter is discussed.
- **Cr Keith Williams** – declared an interest in Item 10.4 – Donations – Rates and Charges 2018/19. (Nature of Interest: significant, pecuniary - he is the treasurer of the Sea Bird Rescue group). He will be departing the meeting while the matter is discussed.

The Sea Bird Rescue group donation request was later deferred to the next Council meeting, so Cr Keith Williams remained in the meeting while Item 10.4 was discussed.

- **Cr Steve McCarthy** – declared an interest in Item 11.2 – Ballina Indoor Sports Centre. (Nature of Interest: non-significant, non-pecuniary - he is the coach of a club that may lease the centre on a casual basis). He will be remaining in the meeting and voting on the matter.

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- **Cr Eoin Johnston** later in the meeting declared an interest in Item 11.2 – Ballina Indoor Sports Centre. (Nature of Interest: non-significant, non-pecuniary - he knows Kerry Saxby's father). He remained in the meeting while the matter was discussed and voted on the matter.
- **Cr Nathan Willis** later in the meeting declared an interest in Item 13.1 – Notice of Motion – RMS Sub-Contractors. (Nature of Interest: non-significant, non-pecuniary - his deceased father was a sub-contractor to an RMS contractor). He remained in the meeting while the matter was discussed and voted on the matter.

6. Deputations

- **Geoffrey Wegg** – spoke in opposition to Item 8.1 – DA 2016/744 – 64 Allens Parade – Modification to Consent
- **Jim Pike** – spoke in relation to Item 11.2 – Ballina Indoor Sports Centre and in particular to the naming of the building
- **Simon Davis** – spoke in favour of Item 13.1 – Notice of Motion – RMS Sub-Contractors

Extension of Time

260718/4 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That an extension of time be granted to Mr Simon Davis for his deputation.

FOR VOTE - All Councillors voted unanimously.

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

7. Mayoral Minutes

Nil items.

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8. Development and Environmental Health Group Reports

8.1 DA 2016/744 - 64 Allens Parade - Modification to Consent

260718/5 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

That Council **APPROVES** the application to modify consent for a two storey dwelling with basement car parking, swimming pool and removal of two Cook Island Pine trees subject to the a new conditions being included as follows:

- The planter box/wall on the south east boundary is to be not more than 1,200mm in height above the level of the ground floor and the pool barrier is to be located a minimum of 900mm from it.
- The roof level of the building is not to exceed the Australian Height Datum (AHD) levels shown on the approved plans. A survey of these levels is to be provided to the Principal Certifying Authority on completion of the roof sheeting.
- The external stairs from the driveway to the entrance door on the ground floor are not to be roofed.

FOR VOTE - All Councillors voted unanimously.

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

Cr Eoin Johnston at this point declared an interest in Item 11.2 – Ballina Indoor Sports Centre. (Nature of Interest: non-significant, non-pecuniary - he knows Kerry Saxby's father). He remained in the meeting while the matter was discussed and voted on the matter.

11.2 Ballina Indoor Sports Centre

260718/6 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council approves the detailed design and scope of works for the Ballina Indoor Sports Centre prepared by PDT Architects and attached to this report.
2. That Council approves a Tender Evaluation Plan to be prepared for this project based on a 100% price weighting (with the recommended tenderer determined on the non-price ranking if the two or three lowest price tenders involve a price difference of less than 0.5% when compared to the lowest contract sum).

FOR VOTE - All Councillors voted unanimously.

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

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260718/7 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council receives a report on options for naming the Ballina Indoor Sports Centre.

FOR VOTE - All Councillors voted unanimously.

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

13. Notices of Motion

Cr Nathan Willis at this point declared an interest in Item 13.1 – Notice of Motion – RMS Sub-Contractors. (Nature of Interest: non-significant, non-pecuniary - his deceased father was a sub-contractor to an RMS contractor). He remained in the meeting while the matter was discussed and voted on the matter.

13.1 Notice of Motion - RMS Sub-Contractors

260718/8 RESOLVED

(Cr Eoin Johnston/Cr Sharon Cadwallader)

1. That Council write to the appropriate State Government Ministers and submit a motion to the LGNSW conference expressing our concerns regarding the non or part payment of monies owing to subcontractors engaged by contractors to the Roads and Maritime Services for work and materials provided to the Pacific Highway upgrade.

2. That this correspondence seeks improvements to the current security of payment process, which appears to rely on statutory declarations, that would provide a greater level of security, especially for small local sub-contractors, who can face the risk of losing their business and their entire life savings, due to the poor financial management practices of a large contractor to the State Government.

FOR VOTE - All Councillors voted unanimously.

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

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8.2 DA 2018/259 - Boundary Adjustment - Old Byron Bay Road

260718/9 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That the application under SEPP 1 to vary the minimum lot size development standard in Clause 11 Subdivision of Land of the Ballina Local Environmental Plan 1987 for DA 2018/259 involving the boundary adjustment subdivision of two existing lots to create one x 8.6 ha allotment (Proposed Lot 11) and one x 14.9 ha allotment (Proposed Lot 12) be **APPROVED**, for the reasons outlined in this report.

FOR VOTE - All Councillors voted unanimously.

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

8.3 Fire Safety Regulations - Compliance

260718/10 RESOLVED

(Cr Sharon Cadwallader/Cr Sharon Parry)

1. That, with respect to the premises situated at 15 Grant Street, Ballina, Council endorses option three, as outlined in this report, regarding the commencement of criminal proceedings in the Local Court for the current and any future failure to provide Annual Fire Safety Statements to Council for the doctor's surgery.
2. That, with respect to the premises situated at 15 Grant Street, Ballina, Council endorses option five, as outlined in this report, regarding the seeking of an Order for the ongoing provision of Annual Fire Safety Statements to Council for the doctor's surgery.
3. That, with respect to the premises situated at 17 Grant Street, Ballina, Council endorses option three, as outlined in this report, regarding the commencement of criminal proceedings in the Local Court for the current and any future failure to provide Annual Fire Safety Statements to Council for the medical consulting rooms.
4. That, with respect to the premises situated at 17 Grant Street, Ballina, Council endorses option five, as outlined in this report, regarding the seeking of an Order for the ongoing provision of Annual Fire Safety Statements to Council for the medical consulting rooms.

FOR VOTE - All Councillors voted unanimously.

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

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8.4 Development Applications – Variation to Development Standards

260718/11 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council notes that there has been one development application approved under delegation involving variations to development standards less than 10% for June 2018.

FOR VOTE - All Councillors voted unanimously.

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

8.5 Development Applications - Works in Progress - June 2018

260718/12 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

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

9. Strategic and Community Facilities Group Reports

9.1 Wollongbar - Planning and Environmental Study and Strategic Plan

260718/13 RESOLVED

(Cr Eoin Johnston/Cr Sharon Cadwallader)

1. That Council endorses the public exhibition of the draft Wollongbar Planning and Environmental Study and draft Wollongbar Strategic Plan 2018 – 2038.

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

FOR VOTE - All Councillors voted unanimously.

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

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9.2 Classification of Land - Scarlett Court Wollongbar

260718/14 RESOLVED

(Cr Sharon Parry/Cr Eoin Johnston)

That Council classify the land identified as Lot 44 DP 1242246, Scarlett Court, Wollongbar as operational land under the provisions of the *Local Government Act 1993* and that this classification takes effect immediately.

FOR VOTE - All Councillors voted unanimously.

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

10. General Manager's Group Reports

10.1 Investment Summary - June 2018

260718/15 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

That Council notes the record of banking and investments for June 2018.

FOR VOTE - All Councillors voted unanimously.

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

10.2 Councillor Expenses - Twelve Monthly Review

260718/16 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

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

2. That the table be amended to reflect Cr Cadwallader's Professional Development/Conferences gross expense figure and also show the private contribution made.

FOR VOTE - All Councillors voted unanimously.

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

Cr Nathan Willis left the meeting at 10:17 am.

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10.3 Donations - Community and Sporting Groups

260718/17 RESOLVED

(Cr Sharon Cadwallader/Cr Stephen McCarthy)

1. That Council approves the following Donations – Financial Assistance Program for 2018/19, as outlined in Table One of this report and following:

Ref	Applicant	Project / Activity	Amount Approved (\$)
1	Meerschaum Vale Community Hall	Various repairs to the hall	5,500
2	Tibouchina RSL Day Club	Room hire for meetings at ALEC	2,508
3	Ballina Breast Cancer Support Group	Room hire for meetings at Kentwell Community Centre	504
4	Ballina Al-Anon Family Group	Room hire for meetings at Richmond Room	780
5	Veterans Advocacy Centre Inc.	Installation of telephone cabling to assist in the upgrade of telephone system	2,544
6	Ballina Hospital Auxiliary	Costs to hire Ballina Jockey Club for Annual Craft Show 2019	1,200
7	Ballina Jet Boat Surf Rescue	Consumables for surf rescue vehicles	3,000
8	Ballina Jet Boat Surf Rescue	Insurance renewals for surf rescue vehicles	6,000
9	Ballina RSL Sub Branch	Payment of Rates for 5 Piper Drive (RSL Youth Club)	0
10	Ballina Lions Club	Costs associated with holding the Ballina Lions Club Annual Fun-Run-Walk 2019	1,000
11	Northern Rivers Women's Bowling Association	Costs associated with holding a 3 day carnival in Ballina	1,000
12	Lifeball	Venue hire at Lennox Community Centre and insurances	3,120
13	Lennox Head Combined Sports Carols Committee	Costs associated with holding the Lennox Head Carols event in December 2018	5,000
14	Lions Club of Lennox Head Inc.	Costs associated with holding fundraising activities for various charities	1,842
15	Rous Mill and District Memorial Hall Inc.	Painting of all interior surfaces of the hall, insurance excess from storm	5,500

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16	Wollongbar Community Preschool Inc.	Fixing and painting fort in children's playground	1,512
17	1st Ballina Scout Group	Costs associated with sending five scouts to New Zealand to compete in 'Illuminate'	0
18	Our Kids	Supplying and erecting temporary fencing for the Our Kids Day Out 2019	1,000
19	Ballina Schools Historical Society Inc.	Insurances for dedicated museum space at the Ballina Coast High School site in Cherry Street	0
20	Heartfelt House	Costs associated with providing external Human Resource Consultants	0
21	Lennox Head Residents' Association Inc. (Coast Care Committee)	Costs associated with maintaining the amenities of Lennox Head; i.e. purchase of materials and equipment.	2,595
22	Lennox Head Residents' Association Inc.	Venue Hire for a variety of community meetings and dissemination of information Site Hire For Love Lennox Festival	500
23	Lennox Head Residents' Association Inc. (Heritage Committee)	Hire of Lennox Community Centre for various activities throughout the year	456
24	Lennox Head Residents' Association Inc. (Boomerang Bags)	Venue hire to carry out bag making activities to assist in removing plastic bags from the shire.	330
25	Oceanic Research Institute Limited	Costs associated with establishing headquarters in Ballina - funds would be used to buy a basic Apple computer network	0
26	Ballina Shire Concert Band Inc.	Costs associated with purchase and erection of a colour bond shed to house the bands trailer which carries music stands and portable chairs	6,610
27	Ballina Hockey Club	Operational costs associated with hosting the 2018 Australian National Men's Hockey Masters in partnership with Far North Coast Hockey	7,500
28	East Ballina Lions Club Inc.	Purchase directional road signs to the Ballina Market site.	899

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29	Suzanne Whiteman	Community tree and biodiversity plantings and related activities in the Meerschaum Vale, Bagotville and West Wardell areas	NIL
30	Ballina District Minister's Association	Operational costs to hold the 2018 Carols event in Ballina	5,000 (previously approved)
31	Ballina Public School	Costs for choir students to travel to festival of music in Sydney	NIL
32	Air Force Association Ballina Branch	Costs to provide shade for people attending Battle for Australia and Battle of Britain Service	740
33	Village Guide (Surface Society Pty Ltd)	Operational costs to produce Village Guide	NIL
34	Alstonville Plateau Historical Society	Rates for Crawford House Museum	4,265
35	Alstonville Gymnastics Academy	Waiver of fees for Alstonville Leisure and Entertainment Centre	NIL
36	Ballina Coast High School	Sponsor students at the Year 12 Farewell Assembly	45 (swimming pool ten pass)
37	Lennox Head Combined Sports Carols Committee	Waiver of Hire Hall as wet weather venue for Lennox Head Carols	NIL
38	Cabbage Tree Island RLFC	Financial assistance towards team nomination, training equipment, uniforms, travel and accommodation	2,500
39	St Vincent de Paul	Seeking financial assistance in relation to water rates and/or sewerage charges	NIL
40	Alstonville Baptist Church	Costs associated with holding the Christmas on the Plateau event	5,000
41	Charity Quilters Group	Costs associated with hiring Northlakes Hall for 8 hours / month @ \$12/hour	500
	TOTAL		78,950

2. That Council approves two late applications from the 2018/19 Community Donations – Financial Assistance program for the following two late requests, bringing the total allocation of the community donations program to \$80,808.
- a) Cancer Council NSW. This donation is estimated at \$1,008 for the 2018/19 year.
 - b) Northern Rivers Branch of Ulysses Club Inc. This donation is estimated at \$850 for the 2018/19 year.

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3. That Council defers the 2018/19 Community Sporting Groups Capital Assistance application from the Northern Rivers Outrigger Canoe Club and advise the preparation of a masterplan for Cawarra Reserve is planned in 2018/19.
4. That Council increase the Community Donations – Financial Assistance budget by \$8,808 to accommodate the requests as tabled in points one and two of this recommendation. This increase is to be funded from the Sporting Groups – Capital Works Assistance.
5. That Council approves the reallocation of any unallocated balance of the 2018/19 Community Sporting Groups - Capital Assistance to Council's Sports Facilities - maintenance budget.
6. That due to the Donations – Financial Assistance program being exhausted, that no further applications are to be considered for the 2018/19 year.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Jeff Johnson, Cr Nathan Willis and Cr Ben Smith

10.4 Donations - Rates and Charges 2018/19

260718/18 RESOLVED

(Cr Eoin Johnston/Cr Sharon Parry)

That Council approves the donation of the 2018/19 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, excluding the item for the Sea Bird Rescue, with this matter to be reported to the next Ordinary meeting.

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

AGAINST VOTE - Cr Keith Williams

ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Jeff Johnson, Cr Nathan Willis and Cr Ben Smith

Cr Nathan Willis returned to the meeting at 10:23 am.

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10.5 Donations - Australian Representation

260718/19 RESOLVED

(Cr Eoin Johnston/Cr Keith Williams)

That Council approves the request from Mr William Butler for a donation of \$420 towards the cost of Australian selection as per Council's Donations - Australian Representation Policy.

FOR VOTE - All Councillors voted unanimously.

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

10.6 Joint Organisation - Alternate Delegate

260718/20 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

1. That Council notes the contents of this report in respect to the Northern Rivers Joint Organisation.
2. That Council confirms that the alternate delegate for the Northern Rivers Joint Organisation is the Deputy Mayor.
3. That Council hold a briefing to update Councillors on the Northern Rivers Joint Organisation.

FOR VOTE - All Councillors voted unanimously.

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

10.7 Policy (Review) - Internal Reporting Policy

260718/21 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council adopts the amended Internal Reporting 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.

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

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10.8 Delivery Program and Operational Plan - 30 June 2018 Review

260718/22 RESOLVED

(Cr Sharon Cadwallader/Cr Eoin Johnston)

That Council notes the content of this report in respect to the 30 June 2018 review of the implementation of the 2017/18 Delivery Program and Operational Plan.

FOR VOTE - All Councillors voted unanimously.

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

Adjournment

The Mayor declared the meeting adjourned at 10.38 am

The meeting resumed at 11.03 am

10.9 Capital Expenditure Program - 30 June 2018 Review

260718/23 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council notes the contents of this status report on the Capital Expenditure Program for the 2017/18 financial year.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson and Cr Ben Smith

Cr Sharon Parry returned to the meeting at 11:05 am.

11. Civil Services Group Reports

11.1 North Creek Dredging Project - Update and Review of Options

260718/24 RESOLVED

(Cr Keith Williams/Cr Eoin Johnston)

1. That Council notes the contents of this report regarding the significant project risks and costs associated with completing the remaining preconstruction activities for the North Creek Dredging project, estimated at \$721,500.
2. That Council notes the complementary nature of the North Creek Dredging project and the North Creek Coastal Management Plan.

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3. That Council writes to the NSW Government seeking to have the \$230,700 grant redirected towards the preparation of the North Creek Coastal Management Plan. Furthermore, request that the money already spent on the project (i.e. \$178,536) be deemed to satisfy any of the future grants "matching" funding requirement.
4. In the event that the NSW Government does not agree to the above, a further report is presented to Council to determine whether to proceed or delay the project until the Coastal Management Plan process is complete.
5. That Council also write to the relevant State Government representatives asking for support as per point three.

FOR VOTE - All Councillors voted unanimously.

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

Paul Hickey, General Manager declared an interest in Item 11.3 – Roads Contribution Plan Amendment – Post Exhibition Report and left the meeting at 11.17am.

11.3 Roads Contribution Plan Amendment - Post Exhibition Report

260718/25 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council approves the exhibited *Draft Ballina Shire Roads Contribution Plan Version 4.1*, as exhibited to repeal and replace *Ballina Shire Roads Contribution Plan Version 4.0*, but, with alterations to update the works schedule costs and contribution rates to account for the standard CPI increase from 2017/8 to 2018/19 (as adopted in Council's fees and charges for 2018/19) being an increase of 2.16% to repeal and replace *Ballina Shire Roads Contribution Plan Version 4.0*.
2. That public notice be given of the adoption of *Ballina Shire Roads Contribution Plan Version 4.1* with the plan to come into effect on the date public notice is given.

FOR VOTE - All Councillors voted unanimously.

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

Paul Hickey returned to the meeting at 11.19am

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11.4 B-Double Access to 110 Teven Road, West Ballina

260718/26 RESOLVED

(Cr Sharon Cadwallader/Cr Eoin Johnston)

That Council approves the application for B-double access via Teven Road to 110 Teven Road, West Ballina.

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

AGAINST VOTE - Cr Sharon Parry

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

11.5 Public Road Closing - Walker Lane Cumbalum

260718/27 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council supports the request for a road closing application to proceed for a section of formed public road (Walker Lane), Cumbalum, as detailed within 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.

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

11.6 Road and Transport Asset Management Plan - Update

260718/28 RESOLVED

(Cr Keith Williams/Cr Sharon Parry)

That Council endorses the draft Road and Transport Asset Management Plan as attached to this report for exhibition. Any submissions are to be reported to Council and if no submissions are received the plan will be considered as adopted by Council.

FOR VOTE - All Councillors voted unanimously.

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

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11.7 Lennox Head Rock Wall Investigation and Seawall Upgrade Study

260718/29 RESOLVED

(Cr Sharon Cadwallader/Cr Eoin Johnston)

1. That Council notes the contents of this report explaining the outcomes of the Lennox Head Seawall Study.
2. That Council write to the Federal Minister for Climate Change, Josh Frydenberg explaining our predicament and the need for a funding formula that supports mitigation and adaptation and Council's capacity to address climate change.
3. That Council write to the State Government Grants Commission explaining our predicament asking that provision be made in the allocation of FAG's for funding to assist us and other councils to undertake adaptation works where necessary.
4. That Council also submit a motion to ALGA in respect to this matter.
5. That Council continue to lobby the State Government and Federal Government regarding dredging the Ballina Bar and supporting a sand bypass system.

FOR VOTE - All Councillors voted unanimously.

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

11.8 Tender - Provision for Sprayed Bituminous Surfacing

260718/30 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

1. That Council accepts the tenders of Bitupave Ltd, Colas New South Wales Pty Ltd, Fulton Hogan Industries Pty Ltd and NSW Spray Seal Pty Ltd as preferred contractors for the provision of sprayed bituminous surfacing for the period to 30 June 2019, with the preferred supplier for each order determined by an assessment undertaken by staff having regard to cost and program requirements applicable at the time of the order.
2. That contractor performance and market conditions be reviewed at the end June 2019 and a call for fresh tenders to be made if this is determined to be favourable to Council.
3. In the event point two above is not preferred, then in accordance with the revised terms of the Contract, the General Manager is authorised to extend the contract period to 30 June 2020 and 30 June 2021, if that arrangement is to the best advantage of Council.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/07/18 AT 9.00 AM**

4. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

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

11.9 Tender - Provision for Supply and Laying of Asphalt

260718/31 RESOLVED

(Cr Nathan Willis/Cr Sharon Cadwallader)

1. That Council accepts the tenders of Bitupave Ltd, Fulton Hogan Industries Pty Ltd and RPQ Asphalt Pty Ltd as preferred contractors for the provision of supply and laying of asphalt for the period to 30 June 2020, with the preferred supplier for each order determined by an assessment undertaken by staff having regard to cost and program requirements applicable at the time of the order.
2. That contractor performance and market conditions be reviewed at the end June 2020 and a call for fresh tenders to be made if this is determined to be favourable to Council.
3. In the event point two above is not preferred, then in accordance with the revised terms of the Contract, the General Manager is authorised to extend the contract period to 30 June 2021 and 30 June 2022, if that arrangement is to the best advantage of Council.
4. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

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

12. Public Question Time

12.1 Mr David Felsch – Peninsula Committee

Why hasn't the Peninsula committee received an official response from the Office of Environment & Heritage via the Council that they received a report prepared on the three areas of error in the flood study which will no doubt reduce the flood planning height, saving developers and Council millions and millions of dollars, reducing the haulage over the road of fill?

John Truman will follow up and provide a response.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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14. Advisory Committee Minutes

Nil Items

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

Nil items.

15.1 Mayoral Meetings

260718/32 RESOLVED

(Cr Eoin Johnston/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 Phillip Meehan, Cr Jeff Johnson and Cr Ben Smith

MEETING CLOSURE

11.39am

The Minutes of the Ordinary Meeting held on 26/07/18 were submitted for confirmation by council on 23 August 2018 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 23 August 2018.