



Notice of Ordinary Meeting

An Ordinary Meeting of Ballina Shire Council will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **Thursday 22 August 2019 commencing at 9.00 am.**

Business

1. Australian National Anthem
2. Acknowledgement of Country
3. Apologies
4. Confirmation of Minutes
5. Declarations of Interest and Reportable Political Donations
6. Deputations
7. Mayoral Minutes
8. Planning and Environmental Health Division Reports
9. Corporate and Community Division Reports
10. Civil Services Division Reports
11. Notices of Motion
12. Advisory Committee Minutes
13. Reports from Councillors on Attendance on Council's behalf
14. Confidential Session

Paul Hickey
General Manager

A morning tea break is taken at 10.30 a.m. and a lunch break taken at 1.00 p.m.

Deputations to Council – Guidelines

- Deputations by members of the public may be made at Council meetings on matters included in the business paper.
- Deputations are limited to one speaker in the affirmative and one speaker in opposition.
- Deputations, per person, will be limited to a maximum of two items on the agenda.
- Requests to speak must be lodged in writing or by phone with the General Manager by noon on the day preceding the meeting.
- Deputations are given five minutes to address Council.
- Deputations on the same matter will be listed together with the opposition first and the speaker in affirmative second.
- Members of the public are advised that any documents tabled or given to Councillors during the meeting become Council documents and access may be given to members of the public in accordance with the requirements of the Government Information (Public Access) Act 2009.
- The use of powerpoint presentations and overhead projectors is permitted as part of the deputation, provided that the speaker has made prior arrangements with the General Manager's Office at the time of booking their deputation. The setup time for equipment is to be included in the total time of five minutes allocated for the deputation.
- To avoid conflicts of interest, real or perceived, deputations will not be accepted from:
 - Tenderers during a public tender or request for quotation
 - Persons or representatives from organisations seeking financial support from Council that involves an expression of interest
 - Consultants who are engaged by Council on the matter the subject of the deputation.

Public Question Time – This Session Does Not Form Part of the Ordinary Meeting

- A public question time has been set aside during the Ordinary meetings of the Council. The Ordinary meeting will be adjourned from 12.45 pm for Public Question Time. If the meeting does not extend to 12.45 pm Public Question Time will be held after the meeting closes.
- The period for the public question time is set at a maximum of 15 minutes.
- Questions are to be addressed to the Chairperson. The period is set aside for questions not statements.
- Questions may be on any topic, not restricted to matters on the Ordinary meeting agenda.
- The Chairperson will manage the questions from the gallery to give each person with a question, a "turn".
- People with multiple questions will be able to ask just one question before other persons with a question will be invited to ask and so on until single questions are all asked and, time permitting, multiple questions can be invited and considered.
- Recording of the questions will not be verbatim and will not form part of the minutes of the Ordinary meeting.
- The standard rules of behaviour in the Chamber will apply.
- Questions may be asked from the position in the public gallery.

The non-confidential parts of Council's meetings are broadcast live to the web and are recorded for future reference. Recordings are made available on Council's website. In accordance with our Code of Meeting Practice, the recording or taking of photos by other people during the meeting is not permitted unless permission has been granted from the meeting.

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1. Australian National Anthem
 2. Acknowledgement of Country
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 6. Deputations
 7. Mayoral Minutes
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1. Australian National Anthem

The National Anthem will be performed by Councillors and staff.

2. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country.

3. Apologies

4. Confirmation of Minutes

A copy of the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 25 July 2019 were distributed with the business paper.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 25 July 2019.

5. Declarations of Interest and Reportable Political Donations

6. Deputations

7. Mayoral Minutes

Nil Items

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

8. Planning and Environmental Health Division Reports

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

| | |
|--------------------------------------|--|
| Applicant | Dixon Homes |
| Property | 79 Plateau Drive Wollongbar |
| Proposal | Dual Occupancy Development |
| Effect of Planning Instrument | The land is zoned R3 Medium Density Residential Zone under the provisions of the Ballina LEP 2012. |
| Locality Plan | The subject land is depicted on the locality plan in Figure 1. |

Preface

Council's July 2019 resolution regarding DA 2019/206 was to defer consideration of the matter pending a site inspection. A site inspection involving Councillors, staff and the proponent was held on 12 August 2019. The inspection included viewing of the proposed development site and the existing vehicular access.

The main issue of concern appeared to be the safety of pedestrians and potential vehicle accidents as a result of the use of the battle-axe driveway by the occupants of the proposed dwellings and possible conflicts at times when people may be entering and leaving the properties at the same time.

The proposed dual occupancy development includes a turnaround bay in front of the garages so that vehicles can enter and leave the properties in a forward direction.

The length and gradient of the driveway would make reversing up or down the driveway difficult.

The steepest portion of the driveway, which is located within the road reserve, is not as steep as the driveway servicing the dwelling located on the adjoining property

Access driveway requirements in accordance with AS2890.1:2004 stipulate that a 5.5m wide driveway is required where the frontage road is an arterial or sub-arterial road. Plateau Drive is not an arterial or sub-arterial road. Also under AS 2890.1, with consideration of traffic volumes for domestic purposes, a minimum driveway width of 3m may be provided for domestic properties. The existing access driveway is 4m wide.

Although not specifically addressing domestic driveways, as a guide, AS 2890.1 states that 30 or more movements in a peak hour (in and out combined) would usually require the provision for two vehicles to pass on the driveway. This would require a minimum driveway width of 5.5m. On long driveways, passing opportunities should be provided at least every 30 m.

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

The existing access handle to the proposed dwelling site is approximately 56m in length. The combined width of the two rights of way that apply to the driveway is approximately 8.0m.

Whilst a formed concrete passing bay would satisfy the provisions of AS 2890.1 for 30 or more vehicle movements in peak hour, sufficient width is available within the Right of Access to permit the passing of vehicles and when this may only be on an irregular basis, a formed and sealed passing bay may not be considered necessary.

The remainder of this report is unchanged from that reported to Council previously, other than for the options section, which has been amended to reflect the additional information as outlined and as viewed on site.

The recommendation from the July 2019 report to Council is unchanged.

Introduction

Council granted development consent DA 2010/453 for the staged subdivision of land creating 83 residential lots, public reserves, road reserves and associated infrastructure and lot works.

A number of easements, covenants and restrictions on use were required pursuant to development consent conditions 7.22-7.25 inclusive.

Council has received a development application (DA 2019/206) in respect of Lot 10 DP 1230198, 79 Plateau Drive Wollongbar, as depicted in the location plan below:

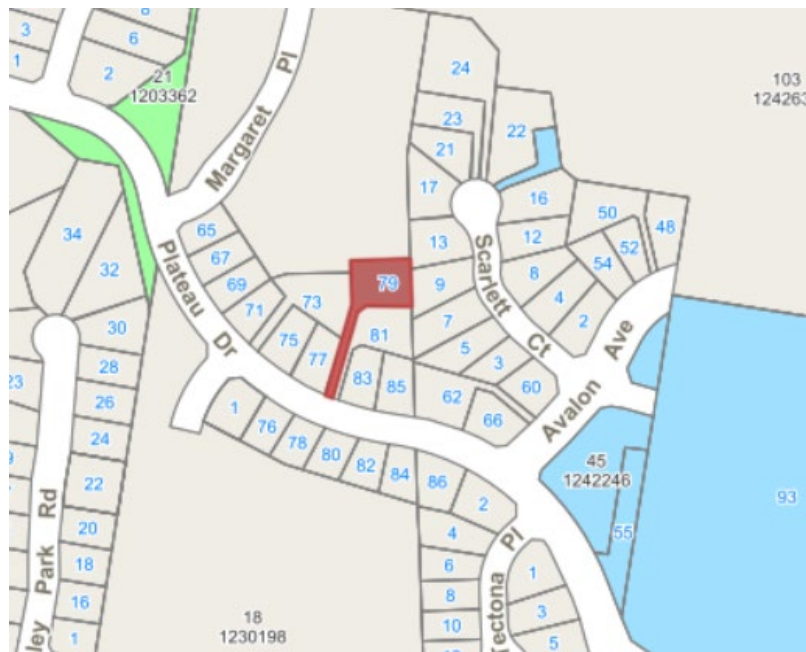


Figure 1: Location Plan - 79 Plateau Drive Wollongbar

DA 2019/206 seeks consent for the construction of a single storey attached Dual Occupancy development including earth works and retaining walls.

The Lot has an 88b Restriction on Use of the land. This restriction permits only one dwelling to be constructed on the Lot.

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

The land is zoned R3 Medium Residential under the Ballina Local Environmental Plan 2012. Dual Occupancy (attached) is a permissible land use in this zone.

The zone map extract below indicates the extent of the R3 zoned land (shown dark pink) in this locality.

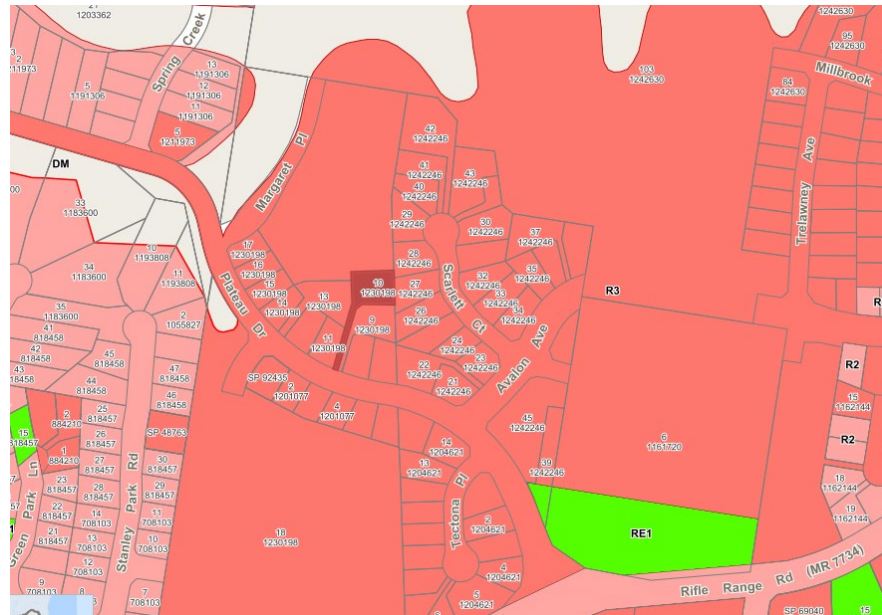


Figure 2: Land Use Zones Plateau Drive Locality (subject land shown shaded)

The proposed Dual Occupancy development complies with Council's planning controls and has been assessed by staff to be suitable for approval with conditions having regard for the particular circumstances, subject to the resolution of the variation to the 88b instrument that is applicable to the land.

This report seeks Council's direction on the proposed variation to the section 88B instrument restriction to allow the development to be determined under delegated authority by staff.

Reportable Political Donations

Details of known reportable political donations are as follows:

- Nil

Public Exhibition

The application was publicly notified in accordance with the Level 1 – Targeted Notification requirements of the Ballina Shire Development Control Plan 2012.

One submission was received in objection regarding a proposed retaining wall which was to be located on the eastern boundary.

The objector did not want to be liable for any future repair or replacement of such a wall located on the boundary.

To address this (if the application is approved) the development consent would be conditioned so that the retaining wall is to be a minimum of 500mm from this boundary so the retaining wall does not form part of the dividing fence. Responsibility for maintenance of the wall would then lie entirely with the owner of the property on which the wall is located.

Applicable Planning Instruments

Ballina Shire Council Local Environmental Plan 2012.

Ballina Shire Council Development Control Plan 2012.

Report

The land is a battle-axe lot with an area of 1,186m² and is zoned R3 Medium Density Residential under the Ballina Local Environmental Plan 2012 (BLEP). Dual occupancies are permissible in this land use zone.

The proposed attached Dual Occupancy development will contain three bedrooms in each dwelling with combined living/kitchen/dining areas having a Gross Floor Area of 216m² in size (108m² each dwelling). The building complies with the BLEP development standards for floor space ratio and overall building height.

It also generally complies with the provisions of the Ballina Shire Development Control Plan 2012 (DCP).

The subject property is burdened by restrictive covenants imposed on the subdivision under Section 88B of the *Conveyancing Act* 1919, including some imposed or required to be imposed, by Council where Council is the beneficiary. The 88B instrument is included as Attachment 1.

The construction of more than one dwelling as proposed would be in breach of Clause 3(d) of the Restriction on Use, thirdly referred to in the section 88B instrument. The relevant restriction referred to in the 88B instrument is as below:

Not more than one main building intended to be used for a residence shall be permitted to be erected on each lot in the subdivision other than Lot 1 in accordance with the consent of Ballina Shire Council.

Clause 1.9A of the BLEP permits restrictive covenants to be suspended (set aside) in certain circumstances to enable the development to occur in accordance with the more relevant or recent planning provisions. However Clause 1.9A (2)(a) does not apply to the extent necessary to suspend the covenant where the covenant has been imposed by the Council, or if the Council required it to be imposed.

Council staff sought legal advice regarding the circumstances of imposing the restriction and the process of dealing with an application that is proposing to be in contradiction to it.

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

The legal advice concluded that in the subject circumstances Council consent to vary the 88B instrument is necessary to provide for a development consent to be effective.

A draft Deed of Variation has been prepared by the owners' solicitor to vary the subject restriction. Council is required to execute the Deed to enable the variation.

Consideration should be given to the effect the Restriction on Use has on future proposals for Dual Occupancies and Secondary Dwellings on other R3 zoned land in this subdivision.

This may be addressed by way of a report for the use of the Common Seal to vary the restriction on use for all lots, at a later date, following a more detailed assessment of any ramifications of adopting a broad approach to the release of the restriction.

Options

1. Council resolves to consent to a variation to the 88b restriction by way of a Deed of Variation regarding the Restriction on Use to enable the applicant to construct an attached Dual Occupancy development on Lot 10 in DP 1230198.

Under this approach, staff would proceed to complete the assessment and determination of the development application for an attached dual occupancy development under delegated authority.

2. Council does not support the variation to the Section 88B instrument and Deed of Variation regarding the Restriction on Use.

This approach would maintain the current restriction enabling only one dwelling to be constructed on the land and would result in Refusal of the application under delegated authority.

3. Council resolves to consent to a variation to the 88b restriction by way of a Deed of Variation regarding the Restriction on Use to enable the applicant to construct an attached Dual Occupancy development on Lot 10 in DP 1230198, with a condition of consent to be applied to any development consent to add a formed and sealed 5.5m wide passing bay to allow for cars to pass.

Although, the 88B instrument permits the owner of the lot benefitted by the Right of Access to carry out work within the site of the easement, such as construction, placing, repairing, or maintaining trafficable surfaces, driveways and structures, the construction of a formed passing bay should only be provided with the consent of the adjoining property owner. This will be considered in the determination of the application should Council resolve to consent to the variation to the 88b restriction.

The proposed location of an attached Dual Occupancy development located in an R3 Medium Density zone is considered to be a suitable form of development on this lot.

Given this and the nature of the driveway access (including its width and the 4m wide concrete construction), option 1 is the recommended approach.

RECOMMENDATIONS

1. That Council consents to the variation to the 88B instrument to alter the Terms of Restriction thirdly listed as 3(d) referred to in the 88B to allow an attached Dual Occupancy to be constructed on Lot 10 in DP 1230198 (subject to the granting of development consent).
2. The General Manager is authorised to execute the Deed of Variation and any other associated documents inclusive of the application of the Common Seal.

Attachment(s)

1. 88B Instrument - DP 1230198

8.2 Club Lennox - Lease and Planning Matters

8.2 Club Lennox - Lease and Planning Matters

Delivery Program Commercial Services

Objective To outline various lease and planning matters arising in relation to the operation of Club Lennox and seek direction on the address of these matters.

Background

Council considered leasing arrangements over the King Street road reserve for Club Lennox in March and May 2019. Council resolved to grant a lease to Club Lennox for the continued use of the King Street area. There is also an existing lease in place for Lot 31 DP 11905, 10 Stewart Street, being the land parcel that contains the building and the majority of the associated bowling greens and car parking.

In response to the consideration of the lease, Council has received feedback and submissions from a number of individuals and groups about the operation of the Club. The various submissions raise concerns about the operation of Club Lennox (particularly from the perspective of some neighbours) whilst others express support for the Club.

The location of Club Lennox and the nature of the immediate surrounds is shown in Figure 1. The Club is located on community land owned by Council and part of the King Street road reserve.



Figure 1: Aerial view of Club Lennox (centre) and surrounding area

8.2 Club Lennox - Lease and Planning Matters

The concerns raised about the operation of the Club relate to noise, patron behaviour, activities outside of the building (such as the presence of food trucks and outside seating), development activity, car parking in King Street and the lease of public land in King Street.

The concerns raise two key matters for consideration by Council being the planning implications of the activities being undertaken (in Council's capacity as a planning authority) and implications associated with the terms of the leases that are in place (in Council's capacity as the landowner).

The purpose of this report is to outline the key issues, address the applicable planning considerations and seek direction from Council as the landowner (lessor) on the preferred approach to address the concerns raised.

Key Issues

- Neighbourhood impacts associated with the operation of Club Lennox
- Community benefits associated with the operation of Club Lennox
- The need for planning approval for certain activities
- Compliance with the terms of leases in place

Information

One of the primary concerns raised by neighbours has been impacts associated with noise, patron behaviour and outside activities.

Noise associated with patrons and music at the venue, and other matters involving the service of alcohol are typically matters for Liquor and Gaming NSW. It is understood that Liquor and Gaming NSW has been in contact with Club Lennox in relation to complaints made by neighbours.

One of the complaints raised with Council queries whether some of the activities being undertaken by Club Lennox have the appropriate planning approvals in place.

In response to this, Club Lennox has been asked to provide details of its current and planned activities (including in relation to the use of the bowling greens for outdoor seating and food truck activity). The Club has also been examining the previous approval history for the premises to assist in the consideration of the planning matters.

This information has been requested to enable staff to further examine whether there is a need for development consent for current and planned activities. The information has not yet been provided to Council but it should be noted that a review of the approval history in this case is somewhat complex.

In any case, whether or not there is a need for the Club to seek development consent for its activities, the key issue is whether Council wishes to enable such activities in its capacity as landowner in the first instance. Essentially, Council needs to provide direction on the application of several provisions in the two leases that apply to the land.

8.2 Club Lennox - Lease and Planning Matters

The King Street lease states, in part, as follows:

Clause 6.01 – To use the premises only for the purpose of a bowling green, fencing, and lawn bowls related structures, and for no other purpose without the express written consent of the Lessor, which consent may be given or refused at the absolute discretion of the Lessor.

Clause 6.02 – Not to carry on in part of the premises any annoying, noxious, offensive or illegal business, occupation or practice and the Lessee shall in the course of his permitted use keep noise, odours, vibration or otherwise to a minimum so as not to be an annoyance, nuisance, grievance, damage or to neighbouring area or people.

Clause 6.03 – Not to bring upon the premises any heavy machinery or other plant or equipment not reasonably necessary or proper for the conduct of the Lessee's use.

As per these clauses there is a reasonably strong emphasis already in the lease to minimise any adjoining impacts, albeit that this only relates to the relatively small area of road reserve identified in the King Street road reserve.

The lease over the balance of the property (expiring on 31 December 2024) has somewhat similar clauses as follows (notably though the wording in 6.01 differs and is arguably broader in its application):

Clause 6.01 – To use the premises only for the purpose of a bowls and sports club and for no other purpose without the express written consent of the Lessor, which consent may be given or refused at the absolute discretion of the Lessor.

Clause 6.02 – To conduct its activities in a reputable and proper manner and not to carry on in any part of the premises any annoying, noxious, offensive or illegal business, occupation or practice and the Lessee shall in the course of its permitted use keep noise, odours, vibration or otherwise to a minimum so as not to be an annoyance, nuisance, grievance, damage or to neighbouring area or people.

Clause 6.03 – Not to bring upon the premises any heavy machinery or other plant or equipment not reasonably necessary or proper for the conduct of the Lessee's use.

These clauses place the onus on the lessee to minimise any impact on the adjoining neighbours. This also creates the difficulty for Council in trying to assess or determine what is reasonable, particularly in trying to balance the concerns of neighbours with the broader community benefits associated with the operation of the Club and the efforts of the Club to remain financially viable.

In the absence of further details from Club Lennox about its planned activities, there appear to be two activities that require consideration in the short term. These are the use of part of the bowling greens (south eastern part of the eastern green) for outdoor seating and entertainment and occasional festival type activities (such as food vans and entertainment).

From a planning perspective, it is yet to be determined whether the outdoor seating and entertainment area (that is currently in place) requires development consent.

If consent is required, a development application could be lodged to provide for the use of the area into the future. The lodgement of a development application would require the agreement of Council as the landholder.

8.2 Club Lennox - Lease and Planning Matters

If a development application is not necessary (for example, previous approvals suitably address the use or the use is development that does not require consent), Council still needs to turn its mind to whether this use is appropriate.

In both cases, Council needs to decide whether the use is consistent with the terms of the applicable lease.

Similarly, occasional festival events need to be considered in terms of the lease in place whether development consent is required or not.

The occasional festival event type activity is likely to be exempt development under the Ballina LEP 2012 because it would be an activity of land vested in, controlled or managed by the Council (including public roads and reserves) that can be considered under Council's events on public land policy and associated process.

Still, any application under this policy would need to be considered in relation to the lease from the perspective of Council as the landholder.

Concerns have also been raised about noise generated from children playing on the greens and otherwise around the Club. This is not a matter to be regulated through the planning process but it may be possible for Council to address this through the application of the terms of the leases in place if there is concern about this aspect of the complaints received.

Sustainability Considerations

- **Environment**

Concerns raised in relation to the operation of Club Lennox include noise impacts on local residents. This needs to be considered in terms of what is reasonable for the operation of a club.

- **Social**

Concerns raised in relation to the operation of Club Lennox include impacts associated with noise and patron behavior on local residents. This needs to be considered in terms of what is reasonable for the operation of a club. The other side to this is that Club Lennox plays a role in the social fabric of Lennox Head.

- **Economic**

Club Lennox has indicated that it is seeking to diversify its activities as part of its overall strategy to remain financially viable and provide suitable Club facilities to its patrons. The impacts on the operation of the Club need to be balanced with the consideration of financial viability and broader community benefits arising from the Club.

Legal / Resource / Financial Implications

The key legal implication for consideration is the interpretation and application of the relevant provisions of the lease. A clear decision of Council in this regard will assist in the efficient application of resources to the address of the matters arising.

8.2 Club Lennox - Lease and Planning Matters

Planning matters arising can be addressed through the application of the local planning framework and where required, compliance action.

There are no direct financial implications known at this stage.

Consultation

Council has received submissions from local residents and other stakeholders relating to the operation of Club Lennox.

Several neighbours have expressed concerns that are fundamentally about amenity. These relates to noise, patron behavior and outside activities (seating, music, children using the greens, food trucks).

Concerns have also been raised about whether suitable development approvals are in place in relation to some of the activities being conducted by Club Lennox.

Other submissions have expressed support for the operation of the Club. Reasons for support of the Club provided in submissions to Council have include:

- The Club provides an important meeting venue for local community groups and members of the community more generally.
- The Club supports a wide range of community, charity and sporting organisations, including group functions, events and activities.
- The Club financially supports local groups through cash donations, provision of venue facilities at no cost and enabling and holding of fund raising initiatives.
- The Club is part of the Lennox Head lifestyle, providing hospitality, fellowship and entertainment for people.

Options

With respect to the use of the bowling green area, the key question is whether Council wishes to enable Club Lennox to undertake outside activities on the bowling greens and their immediate surrounds. The primary options are to provide in principle agreement to outside activities or to advise the Club that Council does not support the use of the greens for purposes other than lawn bowling.

The Club has been using the green areas for uses other than lawn bowling as the Club seeks to diversify to attract patrons and operate in a financially responsible way. This use must be done in a way that is mindful of impacts on residential neighbours.

To provide for a suitable balance between Club operations and use of this area and neighbourhood amenity, it is recommended that the following approach is taken:

8.2 Club Lennox - Lease and Planning Matters

- Where the proposed use of the land or activity is already the subject of an existing approval or the use is classed as exempt development or development that does not require consent, that Council as lessor agrees to the use or activity being carried out (subject to compliance with clause 6.02 in both leases).

This scenario enables existing lawful land uses and activities and uses that do not require development consent under the applicable planning framework to proceed.

- Where the proposed use of the land or activity is exempt development, but it requires an approval from Council under the Local Government Act and/or Roads Act, that Council as lessor agrees to the lodgement of the required application.

This scenario allows activities that require an event on public approval to be assessed on a merit basis in line with Council's current policy and assessment processes for special events. Requirements can be applied through this process to address potential impacts identified in relation to the event.

- Where the proposed use of the land or activity requires development consent, that the proposed use or activity be reported to Council as lessor to enable consideration of the particular proposal and circumstances, before a development application may be lodged for assessment.

This scenario allows Council to consider any proposed development requiring consent in details before enabling lodgement of an application. Where Council does not agree with a proposed use or activity this means any proposed application would not have the required land owner authority and it could not be processed (i.e. the use or activity would not be able to proceed).

With respect to clause 6.02 of the leases, it is recommended that Council approach the application of this clause based on findings and feedback from Liquor and Gaming NSW. That is, a trigger for action in relation to this clause would be a circumstance where Liquor and Gaming NSW identify a breach or concerns about the operation of the Club that is communicated to Council.

In situations where a development application is required, matters such as noise and neighbourhood amenity would be considered as part of the assessment process and ultimately in the decision whether to grant development consent.

If Council prefers not to enable uses and activities on the bowling green area and its surrounds, the Club may seek to rely on clause 6.02 of the lease for Lot 31 DP 11905 to use the premises for the purpose of a bowls and sports club.

That is, it may be able to be argued that use of the greens for seating and entertainment is for a purpose associated with a bowls and sports club and hence the activity is compliant with the lease.

8.2 Club Lennox - Lease and Planning Matters

If development consent or another form of approval is required for a use or activity, Council could still determine an application made by way of refusal but this would need to be on grounds relevant to the type of application (e.g. impacts, non compliance with a standard) rather than based on the position of Council as the lessor.

Council could also attempt to withhold land owner consent for lodgment of an application but this may not be reasonable given the provision in the lease.

Alternatively, Council could defer this matter to a briefing to seek additional information.

In summary this is a difficult matter as Council is attempting to balance the responsible operation of Club Lennox with on-going concerns expressed by neighbours.

The recommendations that follow provide a reasonable balance albeit it is accepted the recommendations may not go far enough from the complainants' perspective as the more regular use of the greens for entertainment and other activities has somewhat changed the amenity that existed in this location for many years.

The deferral of matters to Liquor and Gaming NSW can also lead to frustration for complainants as they expect Council to deal with these matters, however it is Liquor and Gaming who are the appropriate regulatory authority and have the appropriate skills to deal with amenity concerns from licensed premises.

RECOMMENDATIONS

1. That Council manages the lease to Club Lennox for Lot 31 DP 11905, 10 Stewart Street, and the associated lease over part of King Street as follows with respect to land use and activities on and around the bowling green area:
 - Where the proposed use of the land or activity is already the subject of an existing approval or the use is classed as exempt development or development that does not require consent, that Council as lessor agrees to the use or activity being carried out (subject to compliance with clause 6.02 in both leases).
 - Where the proposed use of the land or activity is exempt development, but it requires an approval from Council under the Local Government Act and/or Roads Act, that Council as lessor agrees to the lodgement of the required application.
 - Where the proposed use of the land or activity requires development consent, that the proposed use or activity be reported to Council as lessor to enable consideration of the particular proposal and circumstances before a development application may be lodged for assessment.
2. That Council be guided by findings from investigations undertaken by Liquor and Gaming NSW in relation to the management of noise related issues under the Club Lennox leases for Lot 31 DP 11905, 10 Stewart Street, and part of King Street.

Attachment(s) - Nil

8.3 Planning Proposal - No. 26 Boeing Avenue, Ballina

8.3 Planning Proposal - No. 26 Boeing Avenue, Ballina

Delivery Program Strategic Planning

Objective To endorse a planning proposal relating to No. 26 Boeing Avenue, Ballina.

Background

Council considered a report at its June 2019 Ordinary meeting regarding a request to provide for additional permitted uses at No. 26 Boeing Avenue, Ballina.

Council resolved as follows:

1. *That Council proceed to prepare a planning proposal to amend the Ballina LEP 2012 to include 'recreation facilities (indoor)', and 'veterinary hospitals' as land uses permitted with development consent in relation to Lot 951 DP 1165266, No. 26 Boeing Avenue, Ballina.*
2. *That the planning proposal be reported to the Council for endorsement prior to being referred to the Department of Planning and Environment for Gateway determination.*

The purpose of this report is to endorse the planning proposal that has been prepared for Gateway determination and subsequent public exhibition.

Key Issues

- Range of commercial development within the B5 Enterprise Zone

Information

The planning proposal giving effect to the Council's decision of June 2019 is included as Attachment 1 to this report.

A copy of the June 2019 report considered by the Council with regard to this matter is included as Appendix 3 of the planning proposal.

Sustainability Considerations

- **Environment**
The preparation of a planning proposal to enable additional uses on the subject land is not anticipated to have any significant implications for the natural environment.

- **Social**

The preparation of a planning proposal to enable additional uses on the subject land is not anticipated to have any significant implications for the community's wellbeing, beyond providing services and facilities beneficial to the community.

- **Economic**

The preparation of a planning proposal to enable additional uses on the subject land may have beneficial economic implications for the Homemaker Centre, provided the range of uses to be enabled do not undermine the viability of the specialised retail precinct and other commercial precincts in the Shire.

Legal / Resource / Financial Implications

The preparation of a planning proposal to provide for additional uses on the subject site can be accommodated within existing resources, including through the receipt of associated fees.

The legal effect of the LEP amendment would be to enable the lodgment of development applications for the specified land uses enabled.

Consultation

No community or agency consultation has occurred to date with respect to this matter.

The matter will be subject to the usual community and agency consultation requirements associated with planning proposals and would be subject to the terms of any Gateway determination issued by the NSW Department of Planning and Environment should one be received.

In light of Council's financial interest in the land adjacent to the subject site, it is recommended that delegation of plan making powers not be sought from the Department of Planning and Environment with respect to this matter.

Options

Council has the following options with regard to this matter:

Option 1 – Council could endorse the planning proposal for Gateway determination and subject to receiving a favorable determination, to proceed to public and agency consultation.

This option is recommended on the basis that the uses proposed would appear to have the potential to complement rather than compromise the viability of the specialised retail precinct without adversely impacting on other commercial areas where these uses are currently permitted. Under this option, this matter would be reported back to Council following the conclusion of public and agency consultation.

Option 2 – Council could resolve to amend the planning proposal should it consider this appropriate.

This approach is not recommended for the reasons outlined in the report considered at the June 2019 Ordinary meeting with regard to this matter. As has been previously considered by Council, additional uses (beyond those provided for in the attached planning proposal) have the potential to undermine the viability of the specialised retail precinct and other commercial precincts in the Shire.

Option 3 – Council could discontinue the planning proposal.

Under this option, Council would write to advise the landholder that the request is no longer supported. This option is not recommended for the reasons detailed with respect to Option 1.

RECOMMENDATIONS

1. That Council endorses the planning proposal (BSCPP 19/001), as per Attachment 1 to this report.
2. That the planning proposal be forwarded to the Department of Planning and Environment for a Gateway determination.
3. That the Department of Planning and Environment be advised that Council is not seeking to exercise the functions of the local plan-making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* for this LEP amendment.
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 Council receive a further report on the matter following the completion of the public exhibition of the planning proposal.

Attachment(s)

1. BSCPP 19/001 - Planning Proposal - No. 26 Boeing Ave, Ballina (Council)

8.4 Lennox Village Vision Project - Completion of Phases 2 and 3

8.4 Lennox Village Vision Project - Completion of Phases 2 and 3

Delivery Program Strategic Planning

Objective To identify and confirm funding arrangements for the continuation of the Lennox Village Vision project - phases 2 and 3.

Background

A report was presented to Council at the 27 June Ordinary meeting providing an evaluation of the Lennox Village Vision (LVV) one-way traffic trial in addition to outlining suggested next steps, timing and funding needed for progressing the LVV project.

The report recommended that before the village centre renewal construction commences, data collection and concept design (Phase 2) as well as detailed design for construction works (Phase 3) should occur.

A number of stages within Phase 2 and the entirety of Phase 3 were presented in the June report as unfunded.

Council resolved at the 27 June Ordinary meeting as follows:

1. *That Council proceeds with the implementation of the Lennox Village Vision project generally in line with the approach outlined in figures 4 and 6 within this report subject to the receipt of a report addressing funding options for those aspects of phases 2 and 3 of the project that do not currently have identified funding.*

Figures 4 and 6 referred to in the resolution above are reproduced in the "Information" section of this report.

The purpose of this report is to outline funding options for the unfunded aspects of Phases 2 and 3 of the LVV project and seek direction on the implementation of the identified steps.

Key Issues

- Funding to enable project completion

Information

The remaining phases of the LVV project were outlined in the June 2019 report to Council. A timeline of the remaining phases is again reproduced in Figure 1 as follows.

8.4 Lennox Village Vision Project - Completion of Phases 2 and 3

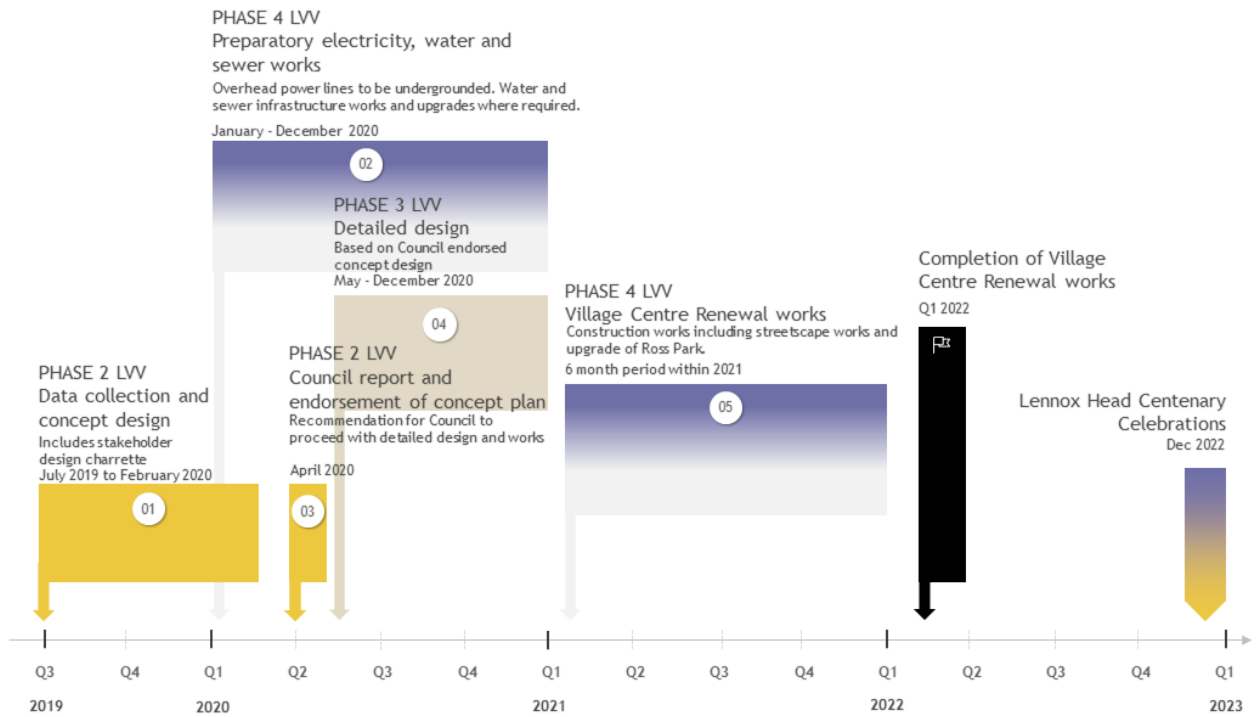


Figure 1. Indicative timeline – remaining phases in LVV process to completion of Lennox Head village centre renewal works (presented as Figure 6 in 27 June 2019 Council report)

Phase 2 of the project focusses on data collection, concept design and reporting of a preferred concept design to Council for endorsement. This phase was further detailed in the June 2019 report to Council with the timeline for this phase presented again in Figure 2 below.

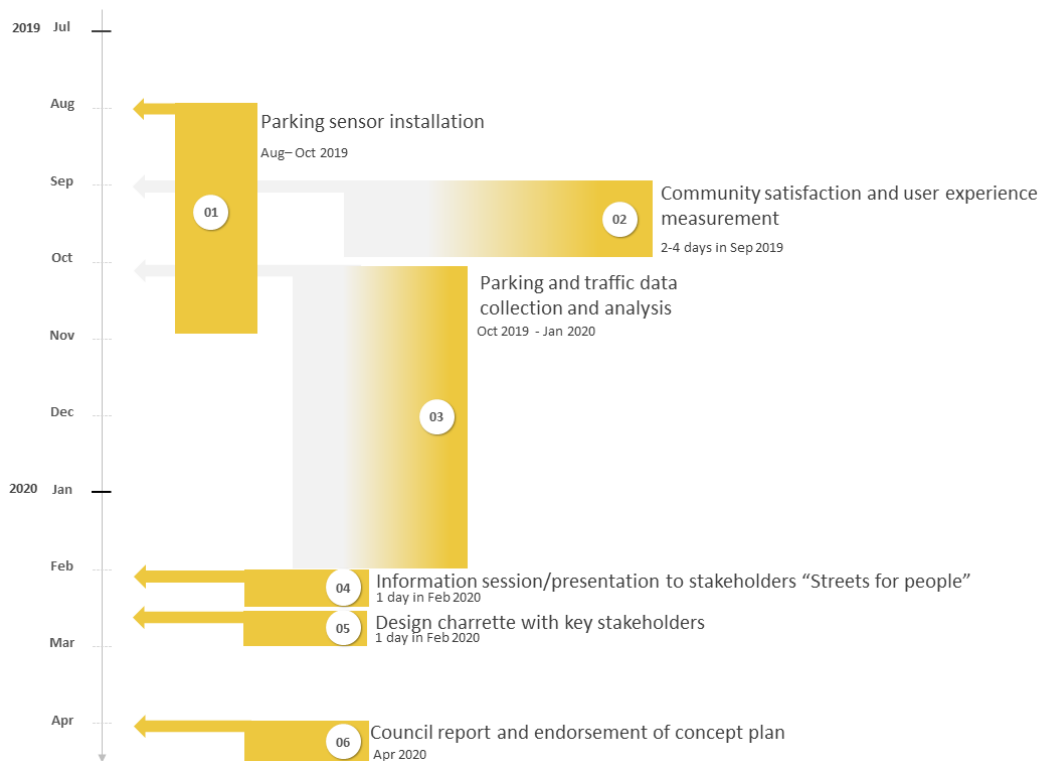


Figure 2. Indicative timeline - Lennox Village Vision remaining stages in Phase 2 (Master planning) (presented as Figure 4 in 27 June Council report)

At the June 2019 Ordinary meeting, Council did not support the installation of parking sensors to assist in parking data collection along Park Lane (Stage 1 of Phase 2 above).

This stage of Phase 2 is no longer proposed and is not addressed further in this report.

The currently unfunded components of the remaining process for the Lennox Village Vision/Lennox Head Village Centre Renewal project include *Stage 4 - Information session/presentation for stakeholders "Streets for people"*, *Stage 5 - Design charrette with key stakeholders* (as presented in Figure 2) and *Phase 3 - Detailed Design* (see Figure 1).

Sustainability Considerations

- **Environment**

There are a number of environmental and aesthetic benefits that could result from the implementation of the renewal of the Lennox Head village centre public domain. This could include parkland enhancements and provision of street trees.

- **Social**

Future village centre renewal can contribute to social connectivity and positive community outcomes through creation of meeting and recreational spaces and enhanced opportunities for informal interactions.

- **Economic**

Future village centre renewal works have the potential to stimulate enhanced economic activity in Lennox Head with respect to both local residents and visitors, although it must be acknowledged that during the future construction period, adjacent businesses are likely to be substantially impacted.

Legal / Resource / Financial Implications

As mentioned earlier, this report addresses the unfunded components of *Phase 2 - Master Planning* (being *Stage 4 - Information session/presentation for stakeholders "Streets for people"* and *Stage 5 - Design charrette with key stakeholders*, as detailed in the *Consultation* section of this report) and *Phase 3 - Detailed Design*.

The June 2019 Council report provides information on the remaining components of the LVV project that are already funded.

The Council's adopted Long Term Financial Plan (LTFP) currently includes the following funding for this project based on a total cost of \$5.5m:

- 2020/21 - \$4.2m funded from \$3.1m loan and \$1.1m from the Community Infrastructure Reserve
- 2021/22 - \$1.3m funded from the Community Infrastructure Reserve

8.4 Lennox Village Vision Project - Completion of Phases 2 and 3

The \$5.5m estimate was prepared in 2017 and there will have been a period of approximately three years lapsed prior to the works commencing. The estimate has also been prepared with very little in the way of any detailed design for the project so a high level of contingency is needed, with the current contingency at 10%. Ideally it should be closer to 15% or even 20%.

Applying a relatively low construction cost increase of 3% results in the \$5.5m becoming \$6m in 2020 dollars, which may be a more realistic estimate.

If Council wants to advance this project, in a timely manner, funding is needed immediately to progress Phases 2 and 3. Once funding is secured for the completion of Phases 2 and 3, the project can proceed based on the timeframe outlined in Figure 1. A total of \$97,000 is needed for Phases 2 and 3 as follows.

Table 1 - Timing and Estimates for Phase 2 (Master Planning) and Phase 3 (Detailed Design) of the LVV process

| Phase | Stage | Activity | Estimated Cost | Timing | Financial Year |
|---------|---------|---|-------------------------|---------------|----------------|
| Phase 2 | Stage 4 | Stakeholder information session/presentation "Streets for people" | \$7,000 ex. GST | Feb 2020 | 2019/20 |
| Phase 2 | Stage 5 | Design Charrette – Facilitator and workshop costs | \$10,000 ex. GST | Feb 2020 | 2019/20 |
| Phase 3 | NA | Detailed Design (\$80,000) | \$20,000 ex. GST | May-June 2020 | 2019/20 |
| | | | \$60,000 ex GST | July-Dec 2020 | 2020/21 |
| | | TOTAL | \$97,000 ex. GST | | |

This means an additional \$37,000 is needed in the current financial year (2019/20) and \$60,000 in 2020/21.

In respect to the \$37,000 for 2019/20 it is recommended that the funding be sourced from the internal reserve held for Strategic Planning projects. This reserve has a closing balance of approximately \$468,000 as at 30 June 2019.

A large part of this reserve is allocated in 2019/20 to projects carried forward from 2018/19, however there are sufficient funds available in the reserve to finance the \$37,000 required for 2019/20.

In respect to the \$60,000 required for 2020/21, rather than specifically allocating funds to that part of the project, the preference is to increase the total capital budget to \$6m, with the budget allocated between the 2020/21 and 2021/22 financial years, as is currently the case.

The detailed design is part of the capital cost of any construction project and it is reasonable to allocate that expenditure to the capital budget.

In respect to the \$6m revised capital budget, the current funding in the LTFP is sourced from loans (\$3.1m) and the Community Infrastructure Reserve (\$2.4m), as outlined earlier.

8.4 Lennox Village Vision Project - Completion of Phases 2 and 3

The loan modelling in the LTFP is based on the \$3.1m being repaid over 15 years at 4% per annum. Council has recently been able to obtain loan quotations fixed for 20 years at approximately 2.9%.

It is recommended that Council increase the loan funding allocated to this project to \$3.3m, based on an interest rate of 3% per annum, over 15 years, as the loan repayments are almost the same as the current LTFP modelling. This means there is no deterioration in the Council's forecast cash flow.

This still leaves a shortfall of \$300,000 (i.e. \$6m capital cost less \$3.3m loan and \$2.4m from the Community Infrastructure Reserve).

A later report in this agenda titled Budgets Carried Forward and Reserve Movements mentions that our Section 7.11 recoupments to the Community Infrastructure Reserve for 2018/19 is \$1m above budget, due to an exceptionally high level of developer contributions collected for 2018/19. That report also states that these monies can help bring forward the planned reconstruction of the Ballina SES building.

With this in mind an updated cash flow forecast for the Community Infrastructure Reserve is outlined in the following table.

Table 2 - Revised Cash Flows for the Community Infrastructure Reserve

| Item | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
|-------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| | Actual | Actual | Estimated | Estimated | Estimated | Estimated |
| Opening Balance | 571,200 | 716,900 | 4,136,900 | 3,511,000 | 1,985,800 | 273,800 |
| Cash Inflows | | | | | | |
| Interest Earned on Reserve | 17,200 | 27,200 | 27,000 | 51,000 | 29,000 | 4,000 |
| Rental 89 Tamar Street | 718,500 | 740,400 | 753,800 | 768,900 | 784,300 | 800,000 |
| Rental ARC | 128,600 | 0 | 0 | 0 | 0 | 0 |
| Rental Fawcett Park Café | 67,300 | 68,100 | 69,400 | 70,800 | 72,200 | 73,600 |
| Sale – Russellton Land | 0 | 0 | 225,000 | 0 | 0 | 0 |
| Sale – Miscellaneous Parcels | 0 | 341,700 | 0 | 0 | 0 | 0 |
| Section 7.11 Recoupments | 1,590,800 | 2,800,000 | 450,000 | 450,000 | 450,000 | 450,000 |
| Sub Total Inflows | 2,522,400 | 3,977,400 | 1,525,200 | 1,340,700 | 1,335,500 | 1,327,600 |
| Cash Outflows | | | | | | |
| Property Operating Expenses | 96,900 | 74,600 | 100,000 | 102,300 | 104,900 | 107,500 |
| Ballina Sports Centre Reimburse | 0 | (251,200) | 0 | 0 | 0 | 0 |
| Captain Cook Park | 88,900 | 0 | 0 | 0 | 0 | 0 |
| Lake Ainsworth Embellishments | 0 | 163,000 | 0 | 0 | 0 | 0 |
| Shaws Bay CMP | 104,000 | 0 | 0 | 0 | 0 | 0 |
| Sports Fields - Skennars Head | 1,150,000 | 0 | 0 | 0 | 0 | 0 |
| Swimming Pools | 0 | 217,000 | 0 | 0 | 0 | 0 |
| Wollongbar Skate Park | 500,000 | 0 | 0 | 0 | 0 | 0 |
| Loan Repayments | 436,900 | 354,000 | 28,100 | 263,600 | 542,600 | 542,600 |
| Dividend – ALEC Refurbishment | 0 | 0 | 400,000 | 0 | 0 | 0 |
| Dividend – Compton Drive Fence | 0 | 0 | 20,000 | 0 | 0 | 0 |
| Dividend – Swimming Pools | 0 | 0 | 80,000 | 400,000 | 0 | 0 |
| Dividend – Shaws Bay Dredging | 0 | 0 | 350,000 | 0 | 0 | 0 |
| Dividend – Wollongbar District Park | 0 | 0 | 830,000 | 0 | 0 | 0 |
| Dividend – Pacific Pines Lights | 0 | 0 | 318,000 | 0 | 0 | 0 |
| Dividend – Solar – Kentwell Centre | 0 | 0 | 25,000 | 0 | 0 | 0 |
| Dividend - Lennox Village Renewal | 0 | 0 | 0 | 1,300,000 | 1,400,000 | 0 |
| Dividend – Lennox Fire Shed | 0 | 0 | 0 | 800,000 | 0 | 0 |
| Dividend – Ballina SES Building | 0 | 0 | 0 | 0 | 1,000,000 | 900,000 |
| Sub Total Outflows | 2,376,700 | 557,400 | 2,151,100 | 2,865,900 | 3,047,500 | 1,550,100 |
| Closing Balance | 716,900 | 4,136,900 | 3,511,000 | 1,985,800 | 273,800 | 51,300 |

The items referenced “Dividends” are the community infrastructure projects funded from this reserve for 2019/20 onwards.

8.4 Lennox Village Vision Project - Completion of Phases 2 and 3

As per this revised cash flow there is now \$2.7m allocated to the LVV Project. This means the total funding available for the LVV is as follows:

- 2019/20 - \$37,000 funded from internal reserves for Phase 2 and part Phase 3
- 2020/21 - \$4.6m funded from \$3.3m loan and \$1.3m from the Community Infrastructure Reserve for part Phase 3 and construction
- 2021/22 - \$1.4m funded from the Community Infrastructure Reserve for construction.

Total funding available is now \$6.037m.

The other pleasing aspect about the revised cash flows for the Community Infrastructure Reserve in Table 2 is that the Ballina SES Building is now initially funded in 2021/22 whereas the adopted LTFP has the first lot of funding available in 2022/23.

Consultation

As detailed in the report to the 27 June 2019 Ordinary meeting, additional community engagement is proposed for the LVV project in the following stages of Phase 2:

- *Stage 4 – Information session/presentation for stakeholders “Streets for people”*

The design charrette proposed in Stage 5 (further detail provided below) will involve key stakeholders including Councillors, community representatives and Council staff.

As a precursor to the charrette, an information session is proposed for community stakeholders (Councillors included) that addresses designing infrastructure that encourages people to spend time in areas, interaction and place identity.

It is anticipated that the information session will be held in February 2020, just before the design charrette with key stakeholders.

- *Stage 5 – Design charrette with key stakeholders*

A key element of the Phase 2 master planning is the design of the Lennox Head village centre renewal.

An impactful design is more likely to be achieved if key community stakeholders can be involved more intimately in the design process.

To facilitate this, a design charrette is proposed.

A charrette is an intensive, multi-disciplinary design workshop designed to facilitate open discussion between key stakeholders of a project.

Design experts, community groups, developers, business owners, residents and other stakeholders relevant to a project, work together to find design solutions that will result in a clear, detailed, realistic vision for future development.

The process is an exercise of transparency and collaboration, where information is shared between the design professionals and the stakeholders.

The design charrette is proposed to be held soon after the information session in February 2020 and will likely be a one day workshop involving up to 20 key stakeholders including design experts (including Council staff), community representatives, and Councillors.

Funding the activities as proposed above will enable additional community engagement for the project to occur. These two community engagement activities are considered important in creating a greater sense of ownership by the community in the outcome of the project.

Options

1. Council can proceed with the funding options for completion of the components listed in Table 1 of this report.

This is the preferred option as it allows for continued involvement of the community and detailed design work informed by ongoing community engagement. The additional community engagement activities will encourage greater ownership of the finished project by the community. This combination is recommended as the optimal basis for the ultimate design outcome because it continues a program of collaboration with the Lennox Head community to inform design and planning outputs.

2. Council can choose not to fund the community engagement activities presented as Stages 4 and 5 of Phase 2 of the LVV project, and to proceed with only funding *Phase 3 – Detailed Design* as presented in Table 1 of this report.

This option is not recommended on the basis of the reasoning set out with respect to Option 1.

3. Council can choose not to proceed with funding any of the components listed in Table 1 of this report.

This would essentially result in abandonment of the Lennox Head village centre renewal works project at this time and is not recommended.

RECOMMENDATIONS

1. That Council authorises funding of the project components, as proposed in Table 1 of this report, to allow for the continuation of the Lennox Village Vision (LVV) project, based on a total budget of \$6.037m, as per the following:
 - a) \$37,000 transfer from the internal reserve for Strategic Planning in 2019/20 to finance Phase 2 (\$17,000) and part Phase 3 (\$20,000)
 - b) Loan funds of \$3.3m in 2020/21 based on a 15 year term and an interest rate of 3% for part Phase 3 and capital construction
 - c) Dividends from the Community Infrastructure Reserve of \$1.3m in 2020/21 and \$1.4m in 2021/22 for capital construction.
2. That Council approves the inclusion of the revised cash flow forecasts for the Community Infrastructure Reserve, as per Table 2 of this report, in the Long Term Financial Plan.

Attachment(s)

Nil

8.5 Development Applications - Works in Progress - August 2019

8.5 Development Applications - Works in Progress - August 2019

The following schedule sets out current development applications that have not yet been determined for the reasons cited.

Note that dwelling house and dual occupancy applications are not included in this report.

| DA No. | Date Rec'd | Applicant | Proposal | Status |
|----------|------------|------------------------------------|---|---------------------------------|
| 2017/223 | 5/5/2017 | Ardill Payne & Partners | Two lot residential subdivision to create 1 x 1,157sqm and 1 x 1,145sqm allotments and associated works – 31 Tara Downs, Lennox Head | Awaiting additional information |
| 2018/51 | 2/2/2018 | Ballina Island Development Pty Ltd | Subdivision of land to create 103 residential lots and seven super lots, construction of roads, stormwater management and drainage (including detention basins and piping of creek), infrastructure servicing, earthworks, vegetation clearing, open space and temporary signage – 20 North Creek Road, Lennox Head | Being assessed |
| 2018/74 | 13/2/2018 | Ardill Payne & Partners | Amended Proposal: Demolition of Existing Residential Flat Building and Erection and Strata Title Subdivision of a six storey Residential Flat Building containing 12 (originally 14) dwellings, associated car parking and works. The proposed building has a height of 18.6m (originally 18.3) with the lift over run at a height of 19.3m which is above the building height allowance of 18m under the Ballina Local Environmental Plan 2012 – 8 Grant Street, Ballina | Awaiting additional information |
| 2018/432 | 26/7/2018 | Ardill Payne & Partners | Two Lot Subdivision by way of a Boundary Adjustment to create one 1080m ² and one 776m ² allotments and construction of a shed on Proposed Lot 1 - 2 Old Pacific Highway, Newrybar | Being assessed |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|------------|--------------------------------|--|---|
| 2018/454 | 27/7/2018 | Ardill Payne & Partners | Alterations and Additions to Existing Industrial Tenancy including use of a mezzanine floor - 3/7 Piper Drive, Ballina | Determination pending |
| 2018/482 | 10/8/2018 | P & G Smith | To establish a home business comprising a cooking class conducted within an existing holiday cabin – 841 Fernleigh Road, Brooklet | Determination pending |
| 2018/554 | 13/9/2018 | Ardill Payne & Partners | Change of Use to Establish a Depot – Removalist Business and Associated Signage – 6 Waverley Place, West Ballina | Awaiting additional information |
| 2018/597 | 26/9/2018 | Ardill Payne & Partners | Establishment and operation of a water supply system including the construction of shed and associated works – Lot 15 Ellis Road, Rous | Referred to Government Departments & awaiting additional information Councillor briefing to be held – date to be advised To be reported to Council for determination as per Council's resolution 251018/7 – 25 October 2018 |
| 2018/616 | 9/10/2018 | Northern Rivers Land Solutions | To undertake bulk earthworks associated with the subdivision consented to under DA 2016/184 – 658 Tamarind Drive, 33 Mitchell Close, 52 Albert Sheathers Lane & 88 Sandy Flat Road, Cumbalum (Banyan Hill) | Subject to Land & Environment Court Appeal – hearing dates 31 January 2020 & 10-12 February 2020 |
| 2018/631 | 17/10/2018 | GM Project Management | Proposed two lot subdivision to create one x 574sqm and one x 708sqm allotments and partial demolition and reconstruction of existing dwelling house – 7 Evelyn Villa Drive, Alstonville | Awaiting additional information |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|------------|----------------------------------|---|---------------------------------|
| 2018/730 | 29/11/2018 | Surf Life Saving Far North Coast | Operation of a kiosk from the ground floor of the Shelly Beach Surf Life Saving Club building, and associated building works – 11 Shelly Beach Road | Being assessed |
| 2018/741 | 5/12/2018 | Ardill Payne & Partners | Stage 2 of a Seniors Housing Development (Alstonville BaptistCare/Maranoa) comprising 15 self-contained dwellings, tree removal, car parking, infrastructure and associated works - 15-19 The Avenue, Alstonville | Being assessed |
| 2018/746 | 5/12/2018 | Ardill Payne & Partners | Alterations and Additions to the Ballina Central Shopping Centre, comprising the addition of two pad sites, new outdoor dining space, new commercial floor space and alterations to the car parking area, including a new car parking shade structure – 44 Bangalow Road, Ballina | Awaiting additional information |
| 2018/747 | 6/12/2018 | Ardill Payne & Partners | Staged Torrens Title Subdivision and Boundary Adjustment to create 18 x residential lots, 1 x residual lot, 1 x drainage reserve, associated infrastructure works, earthworks and revegetation/rehabilitation works (Avalon Estate Stages 6a and 6b) - Rifle Range Road & 22 Scarlett Court, Wollongbar | Being assessed |
| 2018/753 | 7/12/2018 | Newton Denny Chapelle | Staged Torrens Title Subdivision comprising 31 x residential lots, 1 x open space lot, extension to an existing drainage reserve and associated infrastructure works, earthworks and vegetation management works - Avalon Avenue, 55 Avalon Avenue, 93 Rifle Range Road, Wollongbar | Determination pending |
| 2019/9 | 24/12/2018 | Ardill Payne & partners | Construction of Ballina community Men's Shed – 36 Racecourse Road, Ballina | Awaiting additional information |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|-----------|-------------------------|---|--|
| 2019/21 | 21/1/2019 | Ardill Payne & Partners | Establishment of a detached dual occupancy involving the relocation of a dwelling and tourist and visitor accommodation comprising the change of use of an existing studio to a holiday cabin and the erection of a new holiday cabin and associated works – 208 Fernleigh Road, Tintenbar | Determination pending |
| 2019/30 | 24/1/2019 | Newton Denny Chapelle | Staged development involving the temporary use of the land for five years as a function centre for the purpose of hosting wedding ceremonies. It is proposed to host a maximum of 20 ceremonies in any 12 month period catering for a maximum of 120 people. The proposal also involves staged development of eight holiday cabins and associated amenities and infrastructure – 43 Tuckombil Lane, Tuckombil | On exhibition To be reported to Council for determination as per Council's resolution 240419/9 – April 2019 |
| 2019/123 | 28/2/2019 | Newton Denny Chapelle | Demolition of all structures on-site and erection and Strata Title subdivision of a mixed use development comprising a three storey 9.7m high building (above the 9.0m height of buildings development standard) including food and drink premises and retail premises at ground and second floors, business premises at second floor and shop top housing consisting of two residential dwellings on the third floor, on-site car parking, vegetation removal and associated works. A pedestrian walkway linking Ballina Street and Park Lane is proposed - 74 Ballina Street, Lennox Head | Awaiting additional information |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|-----------|--------------------------------|--|---------------------------------|
| 2019/133 | 4/3/2019 | Ardill Payne & Partners | Subdivision to create eight residential Torrens Title lots varying in size from 690sqm to 1200sqm and one residue 2.72 hectare allotment and associated works – 44-52 Blue Seas Parade, Lennox Head | Awaiting additional information |
| 2019/137 | 7/3/2019 | P A Lowndes | Alterations/Additions to an existing Recreation Establishment - 1305 Eltham Road, Alstonvale | Awaiting additional information |
| 2019/144 | 8/3/2019 | Newton Denny Chapelle | To undertake renovation, refurbishments and upgrades to Summerland House Farm comprising upgrades to the visitor facilities and amenities and upgrades and expansion of the existing macadamia de-husking facility – 253 Wardell Road, Lynwood | Determination pending |
| 2019/145 | 8/3/2019 | Ardill Payne & Partners | Construction of an Industrial Development to be Used for a Depot and For General and Light Industrial Purposes, Filling of Land and Associated Works – 29-31 Smith Drive, West Ballina | Awaiting additional information |
| 2019/162 | 15/3/2019 | Northern Rivers Land Solutions | Change of Use to Establish a Vehicle Repair Station – 24 Barlows Road, West Ballina | Determination pending |
| 2019/168 | 18/3/2019 | Vision Town Planning | Change of Use to Establish a Recreation Facility (Indoor) Gym – 4/1 Stinson Street, Ballina | Awaiting additional information |
| 2019/170 | 19/3/2019 | MP & MJ Veronesi | Two Lot Boundary Adjustment Subdivision to create one x 78ha and one x 5ha allotments – 987 & 937 Wardell Road, Meerschaum Vale | Awaiting additional information |
| 2019/187 | 28/3/19 | TJ Chilcott | Demolition of an existing house and erection and Strata Title subdivision of a multi dwelling housing development comprising three x two bedroom dwellings and associated vegetation management works – 54 Commercial Road, Alstonville | Determination pending |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|---------|--------------------------------------|--|--|
| 2019/223 | 11/4/19 | Tim Fitzroy & Associates | Expansion of the existing solid waste transfer station with a processing capacity of up to 28,000 tonnes per annum. The proposed expansion will allow for sorting of construction/demolition waste, general mixed waste, recycling, paper/cardboard, green waste, steel, timber, waste oil and community recycling centre for household chemicals. The transfer station is proposed to operate 6.00am to 6.00pm Monday to Friday and 7.00am to 4.00pm Saturdays and Sundays and the waste transfer (haulage) operations to occur 24 hours Monday to Sunday.– 2 Northcott Crescent, Alstonville | Referred to Government Department & awaiting additional information |
| 2019/233 | 15/4/19 | Planners North | To establish trial fill embankments and installation of settlement monitoring plates– 550-578 River Street, West Ballina | Awaiting additional information |
| 2019/283 | 7/5/19 | Newton Denny Chapelle | Change of use from a high technology industry to general industry involving the assembly, manufacture and fitting of prosthetic limbs and alterations to the building - 2/188-202 Southern Cross Drive, Ballina | Awaiting additional information |
| 2019/301 | 10/5/19 | Alstonville Agricultural Society Inc | To undertake site levelling and erection of security fencing – 22-40 Commercial Road, Alstonville | Awaiting additional information To be reported to Council for determination as per Council resolution 270619/19 – 1 July 2019 |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|---------|--------------------------------------|---|---|
| 2019/303 | 10/5/19 | Alstonville Agricultural Society Inc | Proposed new roofed tiered seating and viewing platform extension adjacent to the rodeo arena area and new awnings to existing amenities building – 22-40 Commercial Road, Alstonville | Being assessed To be reported to Council for determination as per Council resolution 270619/19 – 1 July 2019 |
| 2019/309 | 17/5/19 | Ardill Payne & Partners | Establishment of a multi dwelling housing development comprising the construction of two attached dwellings on a vacant Strata Lot and subsequent Strata Subdivision of the attached dwellings – 175B Tamar Street, Ballina | Awaiting additional information |
| 2019/316 | 20/5/19 | RJ Westblade | Establishment of a multi dwelling housing development comprising the staged construction and Strata Title Subdivision of two detached dwellings - 20 Canal Road, Ballina | Awaiting additional information |
| 2019/321 | 22/5/19 | Ardill Payne & Partners | To undertake the construction of a new Clubhouse (Recreation Facility) at the existing Teven Golf Course - 1684 Eltham Road, Teven | Being assessed |
| 2019/343 | 29/5/19 | Ardill Payne & Partners | Erection of an Industrial Building for General Industrial Purposes - 54 North Creek Road, Ballina | Being assessed |
| 2019/351 | 31/5/19 | Ardill Payne & Partners | To undertake site filing - 29-31 Smith Drive, West Ballina | Awaiting additional information |
| 2019/370 | 6/6/19 | Newton Denny Chapelle | Construction of a bridge across Duck Creek - 163 & 253 Wardell Road, Lynwood | Referred to Government Department |
| 2019/373 | 7/7/19 | R & J Harris Consulting P/L | Erection of a Business Identification Sign – 540 Pimlico Road, Pimlico | Being assessed |
| 2019/376 | 11/6/19 | Newton Denny Chapelle | Erection of five greenhouses to be used for the propagation of potted plants, expansion of farm dam, and associated earthworks and other civil works – 348 Rous Road, Rous Mill | On exhibition |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|------------|--------------------------------|--|------------------------------------|
| 2019/382 | 11/16/2019 | Ardill Payne & Partners | Two lot subdivision to create one 1321sqm and one 951sqm allotment (below the 1200sqm min lot size development standard) and demolition of existing garage and associated works – 5-9 Sapphire Court, Lennox Head | Being assessed |
| 2019/388 | 14/06/2019 | Civil Concepts Pty Ltd | Erection of a multi dwelling housing development comprising three two storey dwellings and associated works – 62 Avalon Avenue, Wollongbar | Awaiting additional information |
| 2019/402 | 19/06/2019 | Northern Rivers Land Solutions | Subdivision of Two Existing Lots to Create Two Modified Lots being one 18.45 ha and one 49.9ha allotments – Tamarind Drive & Ballina Heights Drive, Cumbalum | Referred to Government Departments |
| 2019/407 | 20/06/2019 | Byron Bay Tree Services | Vegetation management works – 300 Old Byron Bay Road, Newrybar | Being assessed |
| 2019/425 | 27/06/2019 | Northern Rivers Land Solutions | Erection of Temporary Advertising Signage associated with Sales Office – 505 North Creek Road, Skennars Head | Awaiting additional information |
| 2019/429 | 28/06/2019 | Hudsons Circus Pty Ltd | To hold a Circus on Crown Land from 21 October 2019 to 4 November 2019 with associated temporary structures and advertising signage – 500-505 River Street, Ballina | Awaiting additional information |
| 2019/438 | 03/07/2019 | Ardill Payne & Partners | To undertake the Torrens Title Subdivision of 4 x existing vacant lots to create 10 x vacant residential lots – 25-39 Fitzroy Street, Wardell | Referred to Government Department |
| 2019/452 | 12/07/2019 | House With No Steps | Alterations and additions to rural workers dwelling and farm building and the use of that building and two approved dwellings for permanent group home accommodation, and associated works – 163 Wardell Road, Alstonville | On exhibition |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|-----------|-------------------------|---|---------------------------------|
| 2019/458 | 12/7/2019 | Penelope Leslie | Vegetation management works comprising the removal of one tree – 34 Beryl Place, Lennox Head | Being assessed |
| 2019/465 | 18/7/2019 | Newton Denny Chapelle | To establish a warehouse or distribution centre for the storage of road base material pending its sale – Teven Road, West Ballina | Being assessed |
| 2019/470 | 23/7/2019 | B Eade | Vegetation management works comprising the removal of five trees – 8 Smith Street, Skennars Head | Being assessed |
| 2019/472 | 24/7/2019 | Gerard Ryan | Vegetation management works comprising the lopping and pruning of two trees – 20 Stonehenge Place, Lennox Head | Being assessed |
| 2019/487 | 29/7/2019 | Ardill Payne & Partners | Erection of five pole signs associated with the Ballina RSL – 1 Grant Street, Ballina | Awaiting additional information |

8.5 Development Applications - Works in Progress - August 2019

Regional Development (Determined by Northern Regional Planning Panel)

| DA No. | Date Rec'd | Applicant | Proposal | Status |
|----------|------------|-------------------------------|---|---|
| 2016/2 | 4/1/2016 | 21st Century Builders Pty Ltd | Amended Proposal: To undertake the first stage of the urban subdivision of the new Cumbalum Urban Release Area – Precinct B comprising a total of 166 allotments and including road construction and intersection works at Ross Lane, extensive earthworks, stormwater management, infrastructure works, vegetation removal and other associated subdivision works - 246 Ross Lane, 47 Dufficys Lane & Ross Lane, Kinvara | Awaiting additional information |
| 2016/524 | 16/9/2016 | Planners North | Amended Proposal: Seniors Living Development pursuant to SEPP (Housing for Seniors and People with a Disability) 2004 comprising amended layout, 147 (previously 211) serviced, self-care housing with associated clubhouse, recreation facilities, roads and associated infrastructure and environmental management and protection works – 67 Skennars Head Road, Skennars Head | Subject to Land and Environment Court Appeal. Council is not a participant in the Appeal. |
| 2016/746 | 23/12/2016 | Ringtank Pty Ltd | Erection of three dwelling houses, 10 site caravan park, equine facilities including stables, veterinary facility, quarantine stalls, horse float and equipment shelters and two equestrian exercise lawns, private outdoor recreation facilities including go-kart track, shooting range, associated buildings, roadworks, earthworks including dam and landscaping - Carrs Lane, Empire Vale Road, Reedy Creek Road- Keith Hall/Empire Vale | Referred to Government Departments |
| 2017/600 | 30/10/2017 | Newton Denny Chapelle | Expansion of an Existing Resource Recovery Facility - 19-21 Northcott Crescent, Alstonville | Being assessed |

8.5 Development Applications - Works in Progress - August 2019

| | | | | |
|----------|-----------|------------------------|--|--|
| 2018/321 | 13/6/2018 | PalmLake Works Pty Ltd | Staged erection of an extension to an existing Seniors Housing Development under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 comprising of 156 self-care dwellings, recreation facilities and associated car parking, infrastructure works, site filling and associated works – 120 North Creek Road, Ballina | Subject to Land and Environment Court Appeal – Hearing Dates 15-22 July 2019 & 19-20 August 2019 |
|----------|-----------|------------------------|--|--|

Major Development (Determined by Minister)

| Major Project No./DA No. | Date Rec'd | Applicant | Proposal | Status |
|--------------------------|------------|-----------|----------|--------|
| NIL | | | | |

RECOMMENDATION

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

Attachment(s)

Nil

9.1 Use of Council Seal

9. Corporate and Community Division Reports

9.1 Use of Council Seal

RECOMMENDATION

That Council affix the Common Seal to the following document.

| | |
|----------|---|
| US 19/07 | Assignment of Lease from R Karam, S Karam, J McCoach, S Plummer and K Plummer to R Karam, S Karam and J McCoach for premises known as Shop 12 Wigmore Arcade, Ballina. Explanation: This represents the assignment of the lease as S and R Karam and J McCoach have purchased the interests in the business from S & K Plumber. |
|----------|---|

Attachment(s)

Nil

9.2 Investment Summary - July 2019

9.2 Investment Summary - July 2019

Delivery Program Financial Services

Objective To provide details of Council's cash and investments portfolio breakup and performance.

Background

In accordance with the Local Government Financial Regulations, the responsible accounting officer of a Council must provide a monthly report (setting out all money Council has invested), to be presented at the Ordinary meeting of Council, immediately following the end of the respective month. This report has been prepared for the month of July 2019.

Key Issues

Compliance with Investment Policy and the return on investments.

Information

Council's investments are all in accordance with the Local Government Act, the Regulations and Council's Investment Policy. The balance of investments as at 31 July was \$84,538,000. There was a decrease of \$2,000,000 from June. Council's investments, as at 31 July, are at an average (weighted) rate of 2.57%, which is 1.49% above the 90 Day Bank Bill Index of 1.08%. The balance of the cheque account at the Commonwealth Bank, Ballina, as at 31 July 2019, was \$3,958,812. This balance is higher than the balance of \$3,299,857 as at 30 June 2019. The combined movement of investments and bank balances was a decrease of \$1,341,045. The overall decrease is attributable to payments for the Ballina Indoor Sports Centre.

The majority of Council's investment portfolio is restricted by legislation (external) and Council (internal) uses for the following purposes:

| Reserve Name | Restriction | % Portfolio* |
|--|--------------------|---------------------|
| Wastewater Fund (incl developer contributions) | External | 10.8% |
| Water Fund (incl developer contributions) | External | 21.8% |
| Section 94 Developer Contributions | External | 11.2% |
| Bonds and Deposits | External | 2.7% |
| Other External Restrictions | External | 5.1% |
| Carry Forward Works | Internal | 3.5% |
| Bypass Maintenance Funding | Internal | 4.6% |
| Landfill and Resource Management | Internal | 2.1% |
| Employee Leave Entitlements | Internal | 3.7% |
| Quarries | Internal | 1.0% |
| Property Reserves | Internal | 5.9% |
| Plant and Vehicle Replacement | Internal | 1.4% |
| Road Works | Internal | 6.8% |
| Swimming Pools Capital | Internal | 0.2% |
| Indoor Sports Centre | Internal | 3.7% |
| Miscellaneous Internal Reserves | Internal | 7.1% |
| Financial Assistance Grant in Advance | Internal | 2.8% |
| Unrestricted | | 5.6% |
| Total | | 100% |

* Reflects reserves held as at 30 June 2018. This will be updated for 30 June 2019 as part of the financial statement completion.

9.2 Investment Summary - July 2019

A. Summary of Investments by Institution

| Funds Invested With | Fossil Fuel Aligned | ADI Rating * | Previous Month \$'000 | Current Month \$'000 | Quota % | % of Total | Total |
|---|---------------------|--------------|------------------------|----------------------|-----------------|----------------|------------|
| Grandfathered Investments | | | | | | | |
| National Australia Bank | Yes | BBB | 1,788 | 1,788 | 0 | 2.1% | 2% |
| Rated Institutions | | | | | | | |
| AMP Bank | Yes | A- | 8,500 | 10,500 | 20% | 12.4% | |
| Auswide Bank | No | BBB | 4,000 | 4,000 | 10% | 4.7% | |
| Bank of China | Yes | A | 12,000 | 12,000 | 20% | 14.2% | |
| Bank of Queensland | Yes | BBB+ | 7,000 | 6,000 | 10% | 7.1% | |
| BankVic | No | BBB+ | 0 | 3,000 | 10% | 3.5% | |
| BankWest | Yes | AA- | 5,000 | 0 | 20% | 0.0% | |
| Bendigo & Adelaide Bank | No | BBB+ | 5,000 | 5,000 | 10% | 5.9% | |
| Beyond Bank | No | BBB | 2,000 | 2,000 | 10% | 2.4% | |
| Commonwealth Bank of Australia | Yes | AA- | 5,000 | 4,000 | 20% | 4.7% | |
| Credit Union Australia | No | BBB | 4,100 | 4,100 | 10% | 4.8% | |
| Defence Bank Ltd | No | BBB | 3,500 | 3,500 | 10% | 4.1% | |
| Greater Bank Limited | No | BBB | 2,000 | 2,000 | 10% | 2.4% | |
| ME Bank | No | BBB | 5,750 | 2,750 | 10% | 3.3% | |
| My State Bank Ltd | No | BBB+ | 4,500 | 4,500 | 10% | 5.3% | |
| National Australia Bank | Yes | AA- | 3,000 | 6,000 | 20% | 7.1% | |
| Newcastle Permanent Bld Society | No | BBB | 4,700 | 4,700 | 10% | 5.6% | |
| Teachers Mutual Bank Limited | No | BBB | 1,700 | 1,700 | 10% | 2.0% | |
| Westpac Banking Corporation | Yes | AA- | 7,000 | 7,000 | 20% | 8.3% | 98% |
| Total | | | 86,538 | 84,538 | 100% | | |
| Credit Rating Summary as per the Investment Policy | | | Maximum Allowed | | Value | Value | % |
| | | | % | Value | Previous | Current | % |
| | | | | | Previous | Current | |
| A- or Higher | | | 100% | 84,538 | 40,500 | 39,500 | 47% |
| BBB and BBB+ | | | 60% | 50,723 | 46,038 | 45,038 | 53% |
| Total | | | | | 86,538 | 84,538 | 100% |

B. Summary of Investments Fossil Fuel Aligned

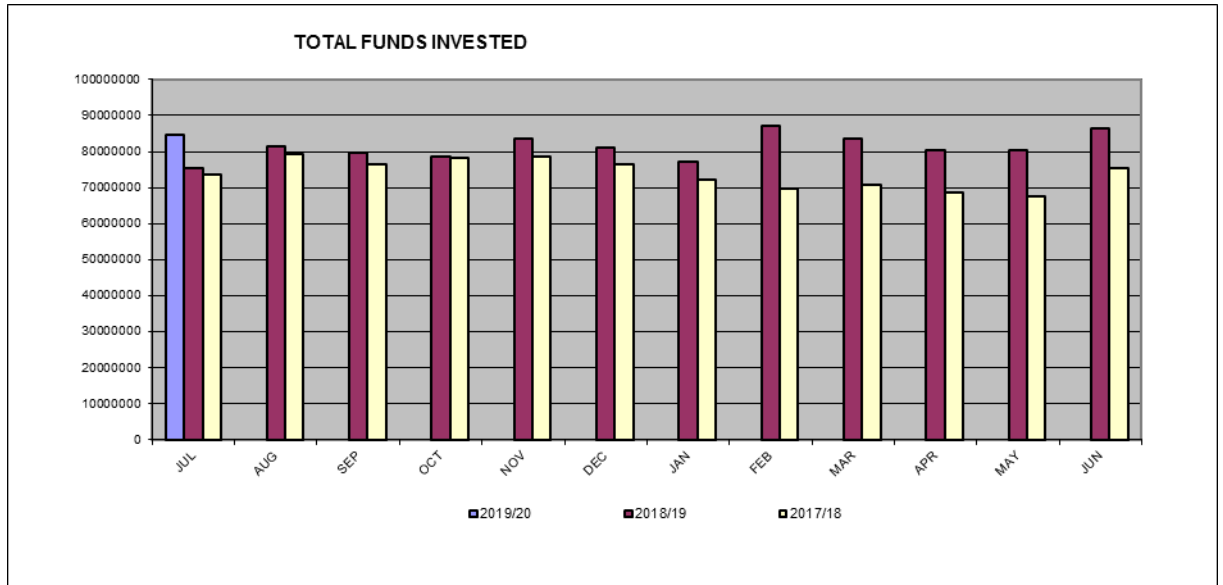
| | Previous Month | Current Month |
|--------------------------------|-----------------------|-----------------------|
| Fossil Fuel Aligned | 49,288 57% | 47,288 56% |
| Non-Fossil Fuel Aligned | 37,250 43% | 37,250 44% |
| Not Classified | 0 0% | 0 0% |
| Total | 86,538 100% | 84,538 100% |

9.2 Investment Summary - July 2019

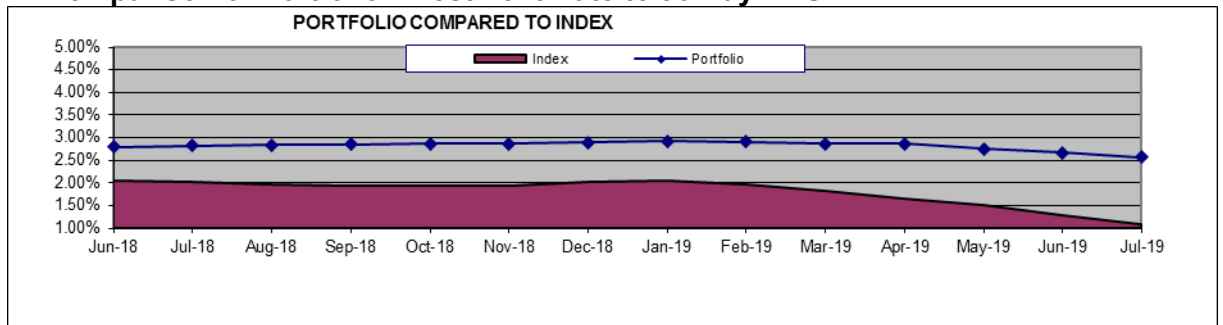
Classification based on advice from 'Market Forces'. Of the five new investments totaling \$11m, in the month of July, one, totaling \$3m, was with non-fossil fuel aligned institutions. The ability to take on such investments depends on the rates on offer on any day, as well as abiding with Council's parameters, which require no more than 60% of total investments to be in the BBB and BBB+ category.

Generally speaking, the non-fossil fuel aligned investments sit within that category. As shown in Table A, Council has 53% of total investments in the BBB and BBB+ category.

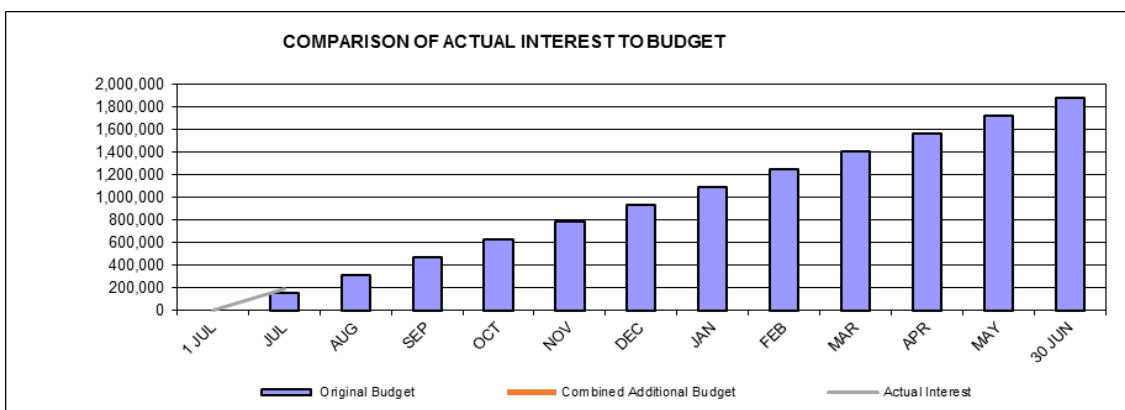
C. Monthly Comparison of Total Funds Invested



D. Comparison of Portfolio Investment Rate to 90 Day BBSW



E. Progressive Total of Interest Earned to Budget



9.2 Investment Summary - July 2019

F. Investments held as at 31 July 2019

| PURCH DATE | ISSUER | TYPE | RATE | FINAL MATURITY DATE | PURCH VALUE \$'000 | FAIR VALUE \$'000 |
|------------|--------------------------------------|--------------------------|-------|---------------------|--------------------|-------------------|
| 20/09/04 | National Australia Bank (ASX Listed) | FRN | 3.58% | Perpetual | 1,788 | 1,662 |
| 17/06/16 | Commonwealth Bank of Australia | FRN | 2.35% | 17/06/21 | 1,000 | 1,000 |
| 30/06/16 | Commonwealth Bank of Australia | FRN | 2.25% | 30/06/21 | 1,000 | 1,000 |
| 26/07/16 | Commonwealth Bank of Australia | FRN | 2.09% | 26/07/21 | 1,000 | 1,000 |
| 30/08/16 | Greater Bank Limited | FRN | 2.89% | 30/08/19 | 1,000 | 1,000 |
| 24/02/17 | Greater Bank Limited | FRN | 2.89% | 24/02/20 | 1,000 | 1,001 |
| 29/06/17 | Teachers Mutual Bank Limited | FRN | 2.63% | 29/06/20 | 1,000 | 1,008 |
| 03/08/17 | Westpac Banking Corporation | FRN | 2.60% | 03/08/22 | 2,000 | 2,000 |
| 18/08/17 | Westpac Banking Corporation | FRN | 2.60% | 18/08/22 | 1,000 | 1,000 |
| 09/11/17 | ME Bank | FRN | 2.89% | 09/11/20 | 750 | 755 |
| 06/02/18 | Newcastle Permanent Bld Society | FRN | 2.95% | 06/02/23 | 700 | 710 |
| 02/07/18 | Teachers Mutual Bank Limited | FRN | 2.55% | 02/07/21 | 700 | 706 |
| 16/08/18 | AMP Bank | TD | 2.85% | 16/08/19 | 1,000 | 1,000 |
| 28/08/18 | Defence Bank Ltd | TD | 2.85% | 27/08/19 | 1,000 | 1,000 |
| 06/09/18 | Newcastle Permanent Bld Society | FRN | 2.95% | 06/02/23 | 1,000 | 1,014 |
| 07/09/18 | ME Bank | TD | 2.75% | 07/09/19 | 1,000 | 1,000 |
| 10/09/18 | AMP Bank | FRN | 2.45% | 10/09/21 | 1,500 | 1,500 |
| 02/10/18 | Bank of China | TD | 2.86% | 01/10/19 | 2,000 | 2,000 |
| 15/10/18 | Bank of China | TD | 2.83% | 10/10/19 | 2,000 | 2,000 |
| 18/10/18 | AMP Bank | TD | 2.83% | 17/10/19 | 1,000 | 1,000 |
| 02/11/18 | My State Bank Ltd | TD | 2.85% | 01/11/19 | 2,500 | 2,500 |
| 06/11/18 | Bank of China | TD | 2.86% | 06/11/19 | 1,500 | 1,500 |
| 08/11/18 | Defence Bank Ltd | TD | 2.85% | 07/11/19 | 1,500 | 1,500 |
| 22/11/18 | Defence Bank Ltd | TD | 2.85% | 22/11/19 | 1,000 | 1,000 |
| 27/11/18 | Bank of China | TD | 2.87% | 26/11/19 | 2,000 | 2,000 |
| 29/11/18 | Bank of China | TD | 2.88% | 29/11/19 | 3,000 | 3,000 |
| 03/12/18 | Credit Union Australia | TD | 2.86% | 03/12/19 | 3,500 | 3,500 |
| 24/12/18 | Bank of China | TD | 2.87% | 23/12/19 | 1,500 | 1,500 |
| 11/01/19 | Commonwealth Bank of Australia | FRN | 2.26% | 11/01/24 | 1,000 | 1,023 |
| 15/01/19 | My State Bank Ltd | TD | 2.86% | 15/01/20 | 1,000 | 1,000 |
| 05/02/19 | Bendigo & Adelaide Bank | TD | 2.80% | 06/08/19 | 3,000 | 3,000 |
| 08/02/19 | Westpac Banking Corporation | FRN | 2.69% | 08/02/24 | 2,000 | 2,000 |
| 12/02/19 | Beyond Bank | TD | 2.81% | 11/02/20 | 2,000 | 2,000 |
| 19/02/19 | AMP Bank | TD | 2.85% | 01/11/19 | 2,000 | 2,000 |
| 21/02/19 | Newcastle Permanent Bld Society | FRN | 2.61% | 22/02/21 | 2,000 | 2,000 |
| 22/02/19 | Newcastle Permanent Bld Society | FRN | 2.55% | 22/02/21 | 1,000 | 1,000 |
| 06/03/19 | Credit Union Australia | FRN | 2.64% | 06/09/21 | 600 | 606 |
| 11/03/19 | AMP Bank | TD | 2.80% | 11/09/19 | 1,000 | 1,000 |
| 13/03/19 | Auswide Bank | TD | 2.85% | 17/09/19 | 1,000 | 1,000 |
| 26/03/19 | My State Bank Ltd | TD | 2.70% | 26/09/19 | 1,000 | 1,000 |
| 30/04/19 | Westpac Banking Corporation | FRN | 1.94% | 26/07/21 | 1,000 | 1,000 |
| 30/04/19 | Westpac Banking Corporation | FRN | 1.94% | 26/07/21 | 1,000 | 1,000 |
| 17/05/19 | AMP Bank | TD | 2.60% | 13/11/19 | 2,000 | 2,000 |
| 19/06/19 | Auswide Bank | TD | 2.20% | 17/12/19 | 3,000 | 3,000 |
| 24/06/19 | Bank of Queensland | TD | 2.10% | 23/10/19 | 3,000 | 3,000 |
| 24/06/19 | Bendigo & Adelaide Bank | TD | 1.95% | 21/11/19 | 2,000 | 2,000 |
| 24/06/19 | ME Bank | TD | 2.00% | 29/11/19 | 1,000 | 1,000 |
| 28/06/19 | National Australia Bank | TD | 2.00% | 07/01/20 | 3,000 | 3,000 |
| 02/07/19 | BankVic | TD | 2.10% | 22/01/20 | 3,000 | 3,000 |
| 04/07/19 | National Australia Bank | TD | 1.95% | 08/10/19 | 3,000 | 3,000 |
| 16/07/19 | Bank of Queensland | TD | 1.95% | 21/01/20 | 2,000 | 2,000 |
| 25/07/19 | Bank of Queensland | TD | 1.95% | 28/01/20 | 1,000 | 1,000 |
| 31/07/19 | AMP Bank | FRN | 2.45% | 10/09/21 | 2,000 | 2,000 |
| | Totals | | | | 84,538 | 84,485 |
| | CDA = Cash Deposit Account | FRN = Floating Rate Note | | | | |
| | FRTD = Floating Rate Term Deposit | TD = Term Deposit | | | | |

RECOMMENDATION

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

Attachment(s)

Nil

9.3 Councillor Expenses - Twelve Monthly Review

9.3 Councillor Expenses - Twelve Monthly Review

Delivery Program Communications

Objective To provide the annual report on Councillor Expenses for 2018/19.

Background

Clause 15.2 of the Councillor Expenses and Facilities Policy requires a report to Council every six months outlining the provision of expenses and facilities provided to individual Councillor and a total of these expenditures for all Councillors.

The information is to also be published on Council's website. This report satisfies that requirement.

Key Issues

- Overview of expenditure
- Compliance with Council Policy

Information

This report details the expenditure incurred for the period 1 July 2018 to 30 June 2019. This expenditure excludes the Councillor and Mayor annual allowances.

Councillor Expenses and Facilities Expenditure (\$ inc. GST)

| Councillor | General Travel and Expenses | Corporate Training (1) | Prof Dev / Conference | I.C.T. | Home Office | Incidentals/ Northern Star etc | Mayor Vehicle (2) | JRPP | Totals |
|--------------|-----------------------------|------------------------|-----------------------|----------|-------------|--------------------------------|-------------------|--------|------------------|
| Cadwallader | 2,029.06 | 500.00 | 1,462.38 | 1,359.75 | 111.15 | 363.11 | 0.00 | 0.00 | 5,825.45 |
| Johnson | 385.48 | 500.00 | 4,139.85 | 1,611.80 | 13.04 | 342.00 | 0.00 | 0.00 | 6,992.17 |
| Johnston | 1,511.34 | 500.00 | 1,313.30 | 589.43 | 136.87 | 295.09 | 0.00 | 600.00 | 4,946.03 |
| McCarthy | 50.28 | 1,203.00 | 2,449.59 | 1,068.25 | 0.00 | 48.00 | 0.00 | 0.00 | 4,819.12 |
| Meehan | 784.98 | 500.00 | 0.00 | 1,404.59 | 121.46 | 363.08 | 0.00 | 0.00 | 3,174.11 |
| Parry | 1,369.64 | 1,203.00 | 0.00 | 0 | 224.90 | 339.19 | 0.00 | 0.00 | 3,136.73 |
| Smith | 160.00 | 500.00 | 0.00 | 517.44 | 135.52 | 48.00 | 0.00 | 0.00 | 1,360.96 |
| Williams | 0.00 | 500.00 | 0.00 | 1,129.72 | 173.11 | 269.00 | 0.00 | 600.00 | 2,671.83 |
| Willis | 306.02 | 500.00 | (3) 5,671.75 | 494.89 | 28.60 | 0.00 | 0.00 | 600.00 | 7,601.26 |
| Wright | 0.00 | 500.00 | 0.00 | 853.22 | 0.00 | 341.58 | 12,000 | 600.00 | 14,294.80 |
| Total | | | | | | | | | 54,822.46 |

- (1) Corporate training represents mandatory training organised by the General Manager for specific topics as identified in the Councillor Training and Development Policy (media training and financial skills training).
- (2) Represents the annual internal plant charge for the provision of the mayoral vehicle.
- (3) Includes an over expenditure of \$171.75 which was reimbursed to Council resulting in a net cost of \$5,500 which is consistent with the maximum annual allowance.

9.3 Councillor Expenses - Twelve Monthly Review

In addition to these expenses, the Mayor has paid \$165.88 for the period 1 July 2018 to 30 June 2019 for private fuel.

The Councillor Expenses and Facilities Policy places a \$3,000 annual limit (excluding GST) on general travel arrangements expenses, a \$5,000 annual limit (excluding GST) on professional development and conferences (excluding induction training), \$1,000 on Home Office Expenses (excluding GST) and Information Technology expenses of \$80 per month.

There is no cap on the corporate training provided subject to annual budget limits.

Legal / Resource / Financial Implications

Council has funding allocated in the Long Term Financial Plan for this expenditure.

Options

This report is for noting.

RECOMMENDATION

That Council notes the contents of this update on the Councillor expenses, as per the Councillor Expenses and Facilities Policy, for 2018/19.

Attachment(s)

Nil

9.4 Rates and Charges Write Offs - 2018/19

9.4 Rates and Charges Write Offs - 2018/19

Delivery Program Financial Services

Objective To provide Council with details of the rates and charges written off during the 2018/19 rating year.

Background

Clause 131 of the Local Government (General) Regulation 2005 (LGGR) and section 607 of the Local Government Act 1993 (LGA), outline procedures that councils must follow to write off certain rates, charges, and interest.

Write offs not covered by specific sections of the LGA must be approved by Council resolution, unless the General Manager has been provided with delegated authority by the Council.

The existing Council delegated authority for the General Manager provides authority to write off general debts to a maximum of \$1,000 per debt.

The General Manager has provided the Coordinator Rating with delegated authority to write off interest amounts, pursuant to section 567 of the LGA, up to the value of \$100 per assessment.

Clause 131 (6) of the LGGR requires the General Manager to inform the Council of any amounts written off under delegated authority.

This report complies with that clause.

Key Issues

- Compliance with clause 131 (6) of the LGGR

Information

Table One details write offs approved by way of separate Council resolution.

Table Two details adjustments made under Council's resolution to implement a Concealed Water Leaks Policy. Whilst these amounts are not technically write offs, they are reported for information.

In accordance with clause 131 of the LGGR, details of the 2018/19 rates, charges, and interest written off under delegated authority are provided in Table Three. Detailed information regarding individual assessments is contained in Council's rating files.

Although not required under clause 131 of the LGGR, other debts (besides rates, charges and interest) written off during 2018/19 are provided in Table Four and Table Five to this report.

9.4 Rates and Charges Write Offs - 2018/19

In accordance with Clause 132 LGGA all rates, charges and interest written off during the period 1 July 2018 to 30 June 2019, totalling **\$62,970.59**, will be included in Council's Annual Report.

In respect to the postponed rates Council is required to write rates off where the property meet certain criteria (refer to notes in Table Four).

Table One - Write-offs – Approved by Council

| Assessment | Amount (\$) | Resolution |
|---------------|------------------|--|
| RT 267505 | 29,830.73 | Ordinary Meeting – 24 April 2019 240419/19 (adoption of Finance Committee minutes from 10 April 2019) (Alstonville Bowls and Sports Club) |
| DR 10072 | 6,510.82 | Ordinary Meeting – 27 June 2019 270619/24 (Gallens Road property) |
| DR 12920 | 5,704.58 | Ordinary Meeting – 27 June 2019 270619/24 (Gallens Road property) |
| Total: | 42,046.13 | |

Table Two - Adjustments – Concealed Water Leaks Policy

| Assessment | Amount (\$) |
|---------------|------------------|
| RT 115643 | 9,601.83 |
| RT 116974 | 118.81 |
| RT 149032 | 385.28 |
| RT 153007 | 647.46 |
| RT 179346 | 248.36 |
| RT 208844 | 1,560.77 |
| RT 211423 | 518.56 |
| RT 217186 | 414.40 |
| RT 220579 | 96.32 |
| RT 255249 | 2,241.12 |
| RT 270443 | 70.56 |
| RT 273328 | 325.91 |
| RT 282238 | 330.27 |
| RT 283307 | 620.45 |
| RT 287903 | 69.44 |
| RT 334417 | 411.04 |
| RT 413986 | 757.12 |
| Total: | 18,417.70 |

Council adopted a Concealed Water Leaks – Financial Assistance Policy at the Ordinary Meeting of 28 September 2017.

The assistance provided under the policy is to waive the difference between step one and step two tariffs, and for 2018/19 this was \$1.12 per kilolitre.

This is the second full year reported of adjustments provided under this policy, and the number of requests for assistance received by staff is an indication of how often concealed leaks can occur in private plumbing.

9.4 Rates and Charges Write Offs - 2018/19

The majority of the leak event cost is still borne by the customer as water lost is charged at the step one rate of \$2.23 for 2018/19.

The policy excludes non-residential customers.

Table Three - Write-offs – Under General Manager’s Delegated Authority

| Assessment | Amount (\$) | Description |
|---------------|---------------|---|
| RT 427278 | 13.52 | Write off interest charges raised – Interest free extension was granted but the interest override was not put on. |
| RT 169105 | 6.08 | Write off interest due to a change of address. |
| RT 231889 | 8.58 | Write off interest due to notices being issued in the incorrect name. |
| RT 231889 | 41.92 | Write off interest due to notices being issued in the incorrect name. |
| RT 141165 | 7.54 | Write off interest due to receipting full payment to one assessment rather than paying the instalment on two assessments. |
| RT 401921 | 6.63 | Write of interest due to ratepayer paying to wrong assessment. |
| RT 126034 | 7.07 | Write off interest due to delay in receiving transfer of ownership. |
| RT 138413 | 65.55 | Write off interest due to postal address issue. |
| RT 169951 | 7.18 | Write of interest due to ratepayer paying to wrong assessment. |
| RT 264785 | 225.18 | Write off interest due to new financial assistance policy allowing for interest free on eligible hardship applications. |
| RT 161610 | 36.40 | Write off interest due to ratepayer not receiving their eRates notice due to misspelt email address. |
| DR 12230 | 30.00 | Late payment fee written off due to the fee being under paid. |
| Total: | 455.65 | |

Table Four - Write-offs – Postponed Rates - Required by LGA Legislation

| Assessment | Amount (\$) | Description |
|------------------|-------------|--|
| Five assessments | 1,853.10 | <p>Year six write off of postponed ordinary rate and interest charges - Section 595 LGA - Postponements typically relate to a single dwelling house that is zoned for multiple occupancy - The Valuer General supplies a land value for the highest potential use of the land. Upon application for postponement the Valuer General supplies an attributable value (i.e. extra value due to subdivision or higher use potential) and Council levies but postpones the attributable component. Interest is also charged.</p> <p>After five years the postponed amount and interest is written off. If the entitlement to postponement ceases at any time, any amounts not written off become due.</p> |

Table Five - Write-offs – Small Balances

| Assessment | Amount (\$) | Description |
|----------------------|---------------|--|
| 346 rate assessments | 197.99 | Write-off of small balances (less than \$5.00). This process is applied when there are identified small arrears balance brought forward on the rates notice. |
| One debtor account | 0.02 | Write-off of small balances remaining following underpayment of invoice. |
| Total: | 198.01 | |

Sustainability Considerations

- **Environment**
Not Applicable
- **Social**
There may be socio-economic reasons that support writing off a person's account.
- **Economic**
There is a loss of income in any write-off, albeit that the percentage written off is extremely small as compared to the total rates and charges levied.

Legal / Resource / Financial Implications

Revenue to the value of \$62,970.59 has been foregone.

Council's debt recovery process continues to be effective with the overall percentage of rates and charges outstanding, as at 30 June 2019, being 2.67% based on a total collection figure of approximately \$61m.

9.4 Rates and Charges Write Offs - 2018/19

The debt recovery results for the last ten years are as follows.

| 30 June | % Outstanding |
|----------------|----------------------|
| 2009/10 | 5.42% |
| 2010/11 | 7.40% |
| 2011/12 | 6.72% |
| 2012/13 | 6.06% |
| 2013/14 | 4.78% |
| 2014/15 | 3.99% |
| 2015/16 | 3.74% |
| 2016/17 | 2.96% |
| 2017/18 | 2.88% |
| 2018/19 | 2.67% |

To have the figure maintained under 3% is an excellent result and the staff have been thanked for their efforts.

Consultation

The write-off information is included in Council's annual report.

Options

This report is for information purposes based on the provisions of the Local Government Act.

RECOMMENDATION

That Council notes that rates, charges, and interest totalling \$2,506.76 (as per Tables Three, Four and Five of this report) were written off under delegation of the General Manager for the 2018/19 rating year pursuant to clause 131 of the Local Government (General) Regulation 2005.

Attachment(s)

Nil

9.5 Community Donations and Request for Fee Waivers

9.5 Community Donations and Request for Fee Waivers

Delivery Program Communications

Objective To review requests for financial assistance from community based groups.

Background

The Alstonville Agricultural Society Inc. is seeking financial assistance for the payment of inspection and application fees charged by Council associated with events held at the Alstonville Showground.

The St Vincent de Paul Society is seeking financial assistance for payment of a Water Service Application for their project under construction at 64 Treelands Crescent, Ballina.

In July 2019, Council resolved to provide a donation to Sing Australia Ballina for venue hire to the value of \$2,000. This funding is from the Community Donations - Financial Assistance Program for 2019/20. Sing Australia Ballina has now disbanded and no longer need the funds.

Key Issues

- Fair and equitable allocation of Council monies

Information

Council allocated donations for the Financial Assistance for Community Groups and Sporting Groups policies at the July 2019 Ordinary meeting following a public exhibition process.

The requests from the Alstonville Agricultural Society and the St Vincent de Paul Society are reported to Council, as they may be able to be considered under the Donations – Assistance with Council Fees for Community Groups policy, which is not subject to a public exhibition process. The key points with this policy are:

- The recipient organisation must be not for profit and provide a community service within the Ballina Shire local government area
- Consideration must be given to the frequency of the event and / or the nature of the capital project. Regular (i.e. more than once per annum) events or projects will not be eligible for reimbursement
- The nature of the fee to be reimbursed / waived will relate to either the delivery of a capital project for the community group, or alternatively where that community group is undertaking a major fund raising event
- The event or works shall occur on public land
- Fees reimbursed will normally relate to development applications (excluding developer contributions and fees paid to external parties such as advertising and long service levies), waste charges, entrance fees, provision of Council products and hire charges.
- The maximum amount reimbursed is capped at \$3,000 per event/project.

9.5 Community Donations and Request for Fee Waivers

Details of the requests are as follows.

Alstonville Agricultural Society Inc.

The Alstonville Agricultural Society (the Society) is located on private land and holds two community events per year. These events are subject to inspection and application fees for amusement devices and food.

The Society is seeking support for payment of these fees and charges.

The inspections and applications are mandated by the NSW State Government to comply with relevant SafeWork NSW legislation and the Food Standards Code.

The 2019/20 Council fees applicable to these events include:

- Amusement Device Application Fee - \$112 per device (in 2018 they had six rides, with a total cost being \$642)
- Food Inspection Fees - \$238 per hour when attending an event and \$119 per half hour thereafter (in 2018, the Society advise this cost was between \$1,100 and \$1,500).

According to Council records, in 2018 staff inspected ten food vendors at the Alstonville Show, with the total time spent being 3.5 hours with an associated cost of approximately \$800.

Council did not undertake food inspections for the New Year's Eve Festival due to the short duration of this event.

Should Council chose to provide financial assistance, the total amount the Society requires to cover the inspection and application fees associated with amusement devices and food for the two events in 2019/20 is estimated at approximately \$2,100.

The fee for amusement device applications was introduced to place a value on applications, as Council's experience with amusement devices is that applications are typically lodged very late and are deficient.

An application must be completed, as an approval from Council is required to install or operate amusement devices under Section 68 of the Local Government Act 1993. Application processing not only involves review of the initial application information, but also typically includes site inspection and liaison with applicants. At times, the process also includes liaison with State Government authorities and engineering specialists.

The fee seeks to encourage better quality applications, submitted in a timely fashion. The primary concern is the safety of the rides.

The Society is not the only community group that pays fees for amusement device applications and food inspections. Assistance with these fees may mean that Council receives further applications for similar assistance in relation to a number of other events.

9.5 Community Donations and Request for Fee Waivers

In respect to compliance with the Donations – Assistance with Council Fees policy, the Society owns the land, therefore Council needs to assess whether this should be classified as public land as required by the policy.

The Society has not submitted a formal application to Council for assistance, although a copy of correspondence in relation to their concerns regarding the fees is included as Attachment 1.

St Vincent de Paul Society NSW

St Vincent de Paul Society is requesting a fee waiver for the Water Application as part of their commercial development at 64 Treelands Crescent, Ballina. The cost of this application is \$3,765. Refer to Attachment 2 for details.

St Vincent de Paul Society NSW received a waiver of developer contributions for this project (DA 2018/467) from Council in March 2019 to the value of \$5,047.

St Vincent de Paul Society NSW also received a waiver of developer contributions from Rous County Council in April 2019 to the value of \$3,865.

The development application is for a day centre and boarding house in Ballina, which will address homelessness in the region.

The nature of the works is capital and the applicant is a not for profit operating a service within the Ballina Shire.

There is inconsistency with the Donations – Assistance with Council Fees policy in that the capital works will be located on 64 Treelands Crescent, Ballina, which is owned by the Roman Catholic Church.

Sing Australia Ballina

In late July, the convener of Sing Australia Ballina Group, notified Council that the group had disbanded (refer to Attachment 3). This means they can no longer accept Council's community donation of \$2,000 as approved at the July 2019 Ordinary meeting.

It is proposed to leave the funds in the program, as further requests will be made and reported to Council throughout the 2019/20 period.

Sustainability Considerations

- **Environment**
Not Applicable
- **Social**
Donations provide financial support for local community groups and residents of the Ballina Shire.
- **Economic**
Any donation will represent income foregone by Council or an expense incurred by Council.

9.5 Community Donations and Request for Fee Waivers

Legal / Resource / Financial Implications

The Donations – Assistance with Council Fees’ budget for 2019/20 is \$3,000 with no funds expended.

The Donations – Financial Assistance for Community Groups’ budget has approximately \$7,000 remaining based on the funds allocated at the July 2019 Ordinary meeting and with the return of the Sing Australia money.

Consultation

The Donations – Financial Assistance for Community Groups program is subject to public exhibition and Council attempts to ensure that all donations are considered at the same time, to ensure there is equity in the allocation.

Donations, as per the Donations – Assistance with Council Fees policy, is slightly different in that the policy provides the opportunity for some form of assistance when a capital project, or event, arises during the year.

Options

The options available are to approve in full or in part, or refuse the requests.

In respect to the Alstonville Agricultural Society, Council provides financial support each year through the donation of their main rates and charges, with a donation of \$8,776 approved at the July 2019 Ordinary meeting.

The Donations – Assistance with Council Fees policy requires the event to be on public land and even though the Society is a not for profit community based organisation, technically the application may not meet the guidelines for this policy as the land is owned by the Society.

If Council does wish to provide assistance, it may be more appropriate to provide funding through the Donations – Financial Assistance for Community Groups’ policy, which has approximately \$7,000 available.

As to the amount donated, Council could resolve to donate one or both of the fees mentioned, or possibly just select a donation amount.

The preference for this application is for Council to determine the level of assistance as the application does not technically meet the guidelines for the Donations – Assistance with Council Fees policy, and the Donations - Financial Assistance for Community Groups was allocated at the July 2019 Ordinary meeting.

If Council is supportive of a donation, one option that could be considered is that Council donates the fees applicable for the amusement devices, as this is a set amount per device and it will hopefully encourage the applications to be submitted in a timely manner. For 2018, this cost was \$642 as outlined earlier in this report.

With respect to St Vincent de Paul Society NSW’s request to waive the Water Service Application, given that the capital works are located on private land, it is inconsistent with the policy.

9.5 Community Donations and Request for Fee Waivers

The project has also received a waiver of developer contributions totalling close to \$9,000 from Council and Rous County Council.

As this application is inconsistent with the Donations – Assistance with Council Fees policy the recommendation is not to approve this request, acknowledging that the project is a very important facility for our community.

If Council did wish to approve a donation, the preference would be to approve the request under the Donations - Financial Assistance for Community Groups policy, which does not have a requirement for the facility to be on public land.

RECOMMENDATIONS

1. That Council determine the level of support to be provided to the Alstonville Agricultural Society Inc. for the purpose of amusement device applications and food inspections that relate to the Alstonville Show and New Year's Eve Festival.
2. That Council not approve the request to donate the \$3,765 Water Service Application Fee for St Vincent de Paul Society NSW, as it is inconsistent with the guidelines for the Donations – Assistance with Council Fees for Community Groups policy.

Attachment(s)

1. Alstonville Agricultural Society Inc. - Fees
2. St Vincent de Paul Society NSW - Water Service Application
3. Sing Australia Ballina Group

9.6 Budgets Carried Forward and Reserve Movements

9.6 Budgets Carried Forward and Reserve Movements

Delivery Program Financial Services

Objective To provide a preliminary overview of the 2018/19 end year outcomes and to advise Council of any budgets carried forward to 2019/20, along with the transfers to reserves included in the finalisation of the 2018/19 results.

Background

The purpose of this report is to provide a preliminary overview of the 2018/19 financial results. The report also seeks approval to carry funds forward from 2018/19 to 2019/20 for ongoing or incomplete projects and to advise on transfers to reserve for future use.

Key Issues

- Financial performance

Information

This section of the report provides a brief overview of the results for the different operations of Council.

The results will still be subject to change due to end year accounting adjustments, such as leave accruals and end of year asset accounting journals however, they provide a reasonable summary of the outcomes for 2018/19.

General Fund

Table One outlines the General Fund Operating Result, with the result being \$2.8m above forecast. A large portion of this relates to \$1.4m in net operating expenditure for projects to be carried forward to 2019/20. That is, operating expenditure of \$2.6m less operating income of \$1.2m carried forward. These carry forwards are detailed in Table Six later in this report.

Operating revenue was \$1.2m below budget. This figure includes an internal contribution of \$722,000 to the Ancillary Transport Services section of Council, in relation to the upgrade of streetlights to LED. As noted later in this report, that project has not commenced and the internal loan and the expenditure budget for that project have been carried forward to 2019/20.

Excluding the impact of the internal contribution, revenue was \$477,000 below budget, with the larger areas attributable to this result being Landfill and Resource Management, \$289,000 below budget, and Environment and Public Health, \$255,000 below budget.

9.6 Budgets Carried Forward and Reserve Movements

Operating expenditure was below budgeted expenditure by \$3.8m. As mentioned, \$2.6 (approximately 67%) of this 'improvement' represents net operating expenditure related projects in progress and the unexpended budgets will be carried forward to the 2019/20 financial year.

Some of the larger expenditure carry over items are \$722,000 for the upgrade of the streetlights to LED; \$488,600 for Emigrant Creek Stabilisation; \$135,100 for natural disaster culvert / pavement works; \$105,800 for grant related vegetation works; and \$100,500 for the construction of the Ballina Community Men's Shed.

Depreciation expense was below budget by \$251,000 (1.8% of budget). This figure is prior to end of year accounting journals. This is a difficult item to forecast, and is dependent on the timing of new expenditures and disposal of assets each year, as well as being impacted by revaluation of asset classes during the year.

The operating results by program for the General Fund are outlined in the following table.

Table One: General Fund – Draft Operating Result by Section (\$'000)

| Description | Revenue Actual | Revenue Budget | Expenses Actual | Expenses Budget | Result Actual | Result Budget |
|---|----------------|----------------|-----------------|-----------------|----------------|----------------|
| Planning and Environmental Health Division | | | | | | |
| Strategic Planning | 466 | 381 | 946 | 1,415 | (480) | (1,034) |
| Development Services | 572 | 642 | 2,137 | 1,888 | (1,565) | (1,246) |
| Building Services | 1,728 | 1,642 | 1,317 | 1,268 | 411 | 374 |
| Environment and Public Health | 659 | 914 | 1,560 | 2,342 | (901) | (1,428) |
| Public Order | 269 | 277 | 616 | 586 | (347) | (309) |
| Sub Total | 3,694 | 3,856 | 6,576 | 7,499 | (2,882) | (3,643) |
| Civil Services Division | | | | | | |
| Asset Management | 791 | 475 | 2,694 | 2,688 | (1,903) | (2,213) |
| Depot and Anc Building Mgmt | 0 | 0 | 1,968 | 1,840 | (1,968) | (1,840) |
| Stormwater and Env Protection | 508 | 631 | 906 | 1,015 | (398) | (384) |
| Roads and Bridges | 396 | 470 | 3,344 | 3,638 | (2,948) | (3,168) |
| Ancillary Transport Services | 242 | 1,112 | 1,472 | 2,193 | (1,230) | (1,081) |
| Ferry, Wharves and Jetties | 573 | 507 | 635 | 606 | (62) | (99) |
| Roads and Maritime Services | 1,001 | 1,001 | 757 | 776 | 244 | 225 |
| Open Spaces | 413 | 384 | 2,870 | 2,881 | (2,457) | (2,497) |
| Vegetation Management | 0 | 5 | 262 | 444 | (262) | (439) |
| Sports Fields | 100 | 200 | 600 | 695 | (500) | (495) |
| Cemeteries | 394 | 420 | 272 | 297 | 122 | 123 |
| Fleet Management and Workshop | 494 | 518 | (379) | (698) | 873 | 1,216 |
| Emergency Services | 187 | 264 | 454 | 556 | (267) | (292) |
| Quarries and Sandpit | 65 | 66 | 51 | 105 | 14 | (39) |
| Landfill and Resource Mgmt | 1,941 | 2,230 | 1,252 | 1,487 | 689 | 743 |
| Domestic Waste Management | 6,826 | 6,806 | 6,069 | 6,132 | 757 | 674 |
| Sub Total | 13,931 | 15,089 | 23,227 | 24,655 | (9,296) | (9,566) |
| Corporate and Community Division | | | | | | |
| Governance | 0 | 0 | 989 | 1,036 | (989) | (1,036) |
| Communications | 15 | 15 | 2,075 | 2,027 | (2,060) | (2,012) |
| Financial Services | 28,644 | 28,508 | (4,546) | (4,491) | 33,190 | 32,999 |
| Information Services | 223 | 188 | 2,852 | 2,968 | (2,629) | (2,780) |
| People and Culture | 239 | 275 | 44 | 354 | 195 | (79) |
| Property Management | 2,130 | 2,114 | 1,380 | 1,581 | 750 | 533 |
| Flat Rock Tent Park | 475 | 448 | 278 | 295 | 197 | 153 |
| Ballina-Byron Gateway Airport | 6,927 | 6,937 | 4,195 | 4,578 | 2,732 | 2,359 |
| Community Facilities | 480 | 515 | 1,219 | 1,304 | (739) | (789) |
| Community Gallery | 138 | 146 | 427 | 474 | (289) | (328) |
| Library Services | 108 | 108 | 1,508 | 1,544 | (1,400) | (1,436) |
| Swimming Pools | 1,087 | 997 | 1,726 | 1,807 | (639) | (810) |
| Tourism | 59 | 153 | 470 | 606 | (411) | (453) |
| Sub Total | 40,525 | 40,404 | 12,617 | 14,083 | 27,908 | 26,321 |
| Operating Result (excl deprec) | 58,150 | 59,349 | 42,420 | 46,237 | 15,730 | 13,112 |
| Depreciation Expense | 0 | 0 | 13,634 | 13,885 | 13,634 | 13,885 |
| Operating Result (incl deprec) | 58,150 | 59,349 | 56,054 | 60,122 | 2,096 | (773) |

Even though the net result is better than forecast, it is important to note the impact of the carry forward works on the bottom line for 2018/19, and also to again note that the overall result will change once year end accounting adjustments are completed.

Although the 2018/19 year is providing a modest surplus prior to end year accounting adjustments, Council's Long Term Financial Plan highlights the difficulties that the General Fund will have in achieving sustainable operating surpluses for future years.

Brief comments for each section on the major items of interest for the final quarter of the year (i.e. comparisons to forecast) are as follows:

Planning and Environmental Health Division

Strategic Planning

Interest earned on section 94 balances was \$92,000 higher than forecast.

The largest variation for all other income budgets was rental income for Crown land properties, \$5,900 below forecast.

Expenditure was well down with a significant contributor being the employee costs, \$130,000 below budget due primarily to the retirement of the former Group Manager and the recruitment of the former Section Manager to the role of Director – Planning and Environmental Health.

This resulted in staff acting in roles for a number of months, which in return resulted in delays in certain strategic planning studies.

The next part of this report identifies \$235,300 to be carried forward to the next financial year, to allow plans of management, studies, rezoning projects and other identifiable projects to continue.

Net savings of \$110,000 have been transferred to the Planning and Environmental Health Division resources / legal reserve to assist with the current heavy workload and a large number of legal cases.

Development Services

Income was below forecast by \$70,000 with lower than forecast development application compliance levy contributing \$63,800 to the final outcome.

Expenses were \$249,000 more than the forecast as at March 2019, with legal expenses totalling \$472,400 (\$222,400 above forecast) combined with employee costs \$20,000 above forecast.

The unspent budget of \$10,000 for the quarries baseline survey has been transferred to reserve awaiting commencement of this project.

9.6 Budgets Carried Forward and Reserve Movements

Building Services

Income exceeded forecast by \$86,000, with the largest variations being development application fees up by \$94,200, plumbing and drainage fees up by \$72,300, offset by building inspection fees down by \$65,000.

Additional income was offset in part by expenses, a result of employee costs exceeding forecast by \$59,000.

Net savings of \$50,000 have been transferred to the Planning and Environmental Health Division resources / legals reserve.

Environmental and Public Health

Operating income was under budget by \$255,000 due to various project works not yet completed and the associated deferral in receipt of grant funding.

Grant funding for Emigrant Creek Stabilisation, Reinstatement Coastal EEC Environmental Trust and Richmond River Governance and Funding, amounts of \$260,000, \$47,100 and \$19,000 respectively, are yet to be received. These income budgets have been carried forward to 2019/20.

The above amounts are partially offset by previously unbudgeted State Government Grant of \$140,000 received late in the year for the funding of a Contaminated Lands Officer. This amount has been placed in reserve to fund expenditure in 2019/20, with a corresponding decrease to 2019/20 income budgets required.

Operating expenditure was \$782,000 below forecast. Of this, amounts totalling \$704,500 are items for carry forward to 2019/20, being largely grant related projects.

The significant item amongst the carry forwards is \$488,600 for the Emigrant Creek Stabilisation.

The carry forwards also includes \$84,700 for Marom and Chilcotts Creek, \$52,500 for Shaws Bay Management works, \$47,000 for Richmond River Governance and \$31,700 for the Coastal EEC Environmental Trust project.

Operational savings were realised, with employee costs \$89,000 below the forecast as at March 2019 following difficulties in recruiting an on-site septic management system role.

Public Order

Operating income was below budget by \$8,200, with companion animal registration income under by \$19,200 and dog fines under by \$5,500 offset in part by parking fines over of \$21,100.

Operating expenditure exceeded budget by \$30,200, with employee cost overs of \$33,400 being the largest variation.

Vehicle compound maintenance budget of \$2,000 has been carried forward for expenditure in 2019/20.

Civil Services Division

Asset Management

In line with capital Section 7.11 contributions received in the year, the Section 7.11 administration fee income, included within the operating income of this section, was significantly above budget for 2018/19. Total income recognised was \$346,000 compared to a budget of \$94,000, with large payments received in the final quarter.

An additional transfer of \$200,000 to the Section 7.11 plan review and works reserve is proposed. This reserve is used not only for the review of Section 7.11 plans but also to fund plan works completed in advance, as the developer contributions to the plan often lag behind Council's planned schedule of works under the plans.

Development Engineer Inspection Fee income also exceeded budget, with total income of \$408,000 compared to a budget of \$340,000.

Total operating expenditure for this section appear close to budget, however overs of \$89,000 in salaries budgets are offset by an unspent budgets of \$70,000 for road condition assessments.

The road condition assessments budget has been carried forward to 2019/20.

Depot and Ancillary Building Management

Within the depot expenditures, \$35,300 of overs relates to depot stockpiles. All costs in relation to the stockpiles, for example purchase costs of 20mm metal and loader costs, are allocated, as best as possible, when products are issued to the various jobs throughout the year. The amount of \$35,300 represents an overall shortfall in cost allocation for the year, which represents a very small percentage of the value of total issues for the year.

Within building management expenditures, the larger overs in expenditure were: public toilets, \$45,000; picnic tables and shelters, \$17,000; sporting field maintenance, \$16,000; and electric barbeques, \$9,000.

Stormwater and Environmental Protection

Operating income was under budget by \$123,300 due to grant funding not received, predominantly for the Ballina Flood Risk Study and Coastal Zone Management Plan (CZMP), as the expenditure was not incurred.

Operating expenses were \$109,600 less than forecast, with less expenditure on the above noted projects.

Of total budgeted expenditure, \$23,600 is being carried forward to 2019/20.

The carry forward budgets for projects in progress are \$21,500 for the Enviro Trust Video and \$2,100 for Ballina Flood Management Third Party Modelling.

Amounts totalling \$27,100 being unspent budgets for CZMP, have been transferred to reserve until required.

9.6 Budgets Carried Forward and Reserve Movements

Roads and Bridges

Operating income was under budget by \$74,300.

Budgeted grant revenue of \$48,500 for natural disaster funding is yet to be received and is carried forward to 2019/20. Interest earned on the Alstonville Bypass and Ballina Bypass reserves was \$10,000 lower than forecast.

Budgeted operating income included \$19,000 for Ross Lane straightening. This amount has been received, however has been included within capital income, as it is capital in nature.

Operating expenditure was less than budget by \$296,600, of which carry forward budgets to 2019/20 of \$135,100 for natural disaster expenditure and \$55,700 for gravel roads maintenance.

Underspend of \$20,000 for cleaning of Alstonville and Ballina town centres was transferred back to reserve.

Of the balance of net savings of \$85,800 across this program, \$69,700 was allocated as Council's required contribution to the Marine Estate Management Strategy grant funding received within the roads capital works section.

Ancillary Transport Services

Operating income was \$870,000 below forecast.

The budgeted operating income included an internal loan of \$722,000 from the Water Fund for the upgrade of streetlights to LED. As that project has not commenced, both the internal loan and the expenditure budget for that project have been carried forward to 2019/20.

Private works income was \$63,300 below forecast.

Advertising income for bus shelters was \$17,000 above budget.

Operating expenditure was \$720,700 below budget.

As noted earlier, \$722,000 of underspend relates to the upgrade of streetlights project, which will now be undertaken in 2019/20.

The street lighting expense for 2018/19 was over budget by \$67,400, with the expense for recent years as follows:

2018/19 \$706,400
2017/18 \$625,800
2016/17 \$586,000
2015/16 \$469,000

It is anticipated that a reduction to this expenditure will be achieved once the LED street lighting upgrade program is completed.

Private works expenditure was \$54,800 below forecast, with the net income for private works being \$8,500 below forecast.

9.6 Budgets Carried Forward and Reserve Movements

Ferries, Wharves and Jetties

Operating income was \$66,100 above budget.

Operating expenditure was \$29,500 above budget, with employee cost overs of \$31,700 offset by an overall small savings in other operating budgets.

Roads and Maritime Services (RMS)

Costs in this section are funded by a grant from the RMS.

Operating expense was \$19,100 below budget which was offset slightly by capital expenditure over by \$4,100, giving a combined under from budget of \$15,000.

Total RMS income received in 2018/19 was \$1,001,000. This was matched by total combined operating and capital expenditure of \$1,001,000. All amounts received have been fully acquitted.

Open Spaces

Operating income was \$29,100 more than forecast, the larger contributors being additional income of \$11,400 for Seven Mile Beach 4WD permits, \$7,300 for open spaces licence revenue, \$5,500 for nursery sales (mostly internal sales) and \$5,000 for event income.

Expenses were \$10,800 less than forecast.

Over budget expenditure for beach maintenance and fig tree management were offset by some savings in other operational areas.

Vegetation Management

Expenditure savings to budget relate to a number of ongoing grant funded vegetation works, with total carry forwards of \$194,800.

This amount includes \$89,000 for the Lennox Point/Boulder roundabout compensatory works.

Sport Fields

Operating income was \$100,500 below forecast.

The budgeted operating income included \$150,000 for the construction of the Ballina Community Men's Shed, of which \$49,500 has been received in 2018/19, matching the progress of the expenditure for the year.

The amounts of \$100,500 for income to be received and expenditure to be incurred have been carried forward to 2019/20.

Total expenses were \$94,800 below forecast.

As noted above, \$100,500 of the budget is carried forward for the Men's Shed.

9.6 Budgets Carried Forward and Reserve Movements

A further carry forward of \$9,200 is proposed for the unspent budget of the Sport and Recreation Plan.

A balance of \$14,900 represents the combined overspend of all other operating budgets for this section.

Cemeteries

Cemetery fees were \$26,300 below forecast, offset by operating expenses \$25,500 below forecast. This results in the transfer to the cemeteries reserve of \$121,900 comparing to the forecast of \$123,000.

Fleet Management and Workshop

The net operating result was \$343,700 below forecast.

Plant charged to works (which is revenue to the plant fund and shows as a negative in expenses) was \$189,900 less than forecast.

Other expenditures, main contributor being fuel expenses, exceeded budget by \$129,000.

Management staff are reviewing last year's result, and the internal hire rates, plant utilisation and operating costs budgeted for this year to see if adjustments are needed to achieve the required surplus.

If the budgeted result cannot be achieved it will be necessary to review the replacement program and defer further changeovers or use alternative options to access the required plant such as leasing or hire.

Emergency Services

Income for this section comprises an annual maintenance and repair grant and a hazard reduction grant.

The budgeted hazard reduction grant was \$146,200. Of this, the reimbursement claimed and received by Council was \$74,000, to match the actual expenditure incurred for hazard reduction.

Overall, the bottom operating result for this section was \$24,500 under budget, with RFS fire control expenses coming in under forecast.

Quarries and Sandpit

Operating expense was \$53,900 below forecast, of which \$50,000 relates to the noise and air pollutant assessment, which has not commenced. This amount is included in the transfer to reserves, until required.

Landfill and Resource Management (LRM)

A net surplus of \$689,000 was achieved which was \$53,900 less than forecast.

Interest income of \$55,140 was allocated to this reserve compared to an original budget of \$135,000, with the end of year allocation based on reserve balances end of year.

9.6 Budgets Carried Forward and Reserve Movements

Domestic Waste Management (DWM)

DWM operations produced a net surplus of \$757,000 compared to forecast \$674,400.

Interest income of \$70,000 was allocated to this reserve compared to an original budget of \$62,000, with the end of year allocation based on reserve balances end of year.

Plant charged to works, which is included as a negative within expenditure, was \$70,000 above forecast.

This was offset in part by over spend for organics collection and disposal cost.

Corporate and Community Division

Communications

Total operating expenditure was impacted by overspends of \$36,000 in printing and \$10,700 in Community Connect expenditure.

There is carry forward expenditure of \$20,000 for the community event program.

Financial Services

Similar to the previous year, the Financial Assistance Grant (FAG) was paid in advance, with advance funds of \$2,338,800 received in June 2019 compared to \$2,220,700 received in June 2018.

There is a net impact of approximately \$118,000 on the operating result, with this amount transferred to reserve.

Other favourable outcomes included rates and charges received exceeding forecast by \$72,000 and interest on investments, after allocations, exceeding forecast by \$28,800.

A budgeted dividend of \$73,000 from the Water and Wastewater Funds is yet to be finalised as part of year end accounting journals.

Operating expenses were below forecast, with the larger contributor being savings in employee costs of \$24,000 and legal expenses for debt collection being \$22,000 below forecast.

Information Services

Information fee income for the year totalled \$152,900, above forecast by \$32,900. Within expenditure, large savings realised included \$109,000 in salaries.

People and Culture

There were nil contributions received from Centrelink for maternity leave contributions, compared to a budget of \$12,000.

9.6 Budgets Carried Forward and Reserve Movements

The expenditure section of the budget manages, amongst other things, staff leave, superannuation, workers compensation for the entire organisation with a total expenditure budget of approximately \$7.5 million.

Preliminary staff leave expenditures are over budget by \$99,000, however this will be revised when the required year-end accounting adjustments for leave provisions are completed.

An amount of \$120,000 has been proposed as a transfer to the Employee Leave Entitlements reserve, for future leave payments.

Superannuation costs exceeded budget by \$68,000, representing a small variation when compared to the total salaries and wages expenditure across the organisation.

Savings achieved in the section include work health and safety costs \$11,700, staff recruitment expenses \$12,200, and employee costs \$9,800.

There is carry forward expenditure of \$77,800 relating to the grant funded Elson Dixon Employment program.

Recoupment for staff on-costs are also located in this area and this represents a significant item (a negative expense) within the total expenditure budgets.

On-costs are a percentage based increase to wages that looks to apportion costs for leaves, super and insurances to discreet sections such as water, wastewater, waste, roads etc.

Human Resources receive the credits from the on-costs and the budget is \$7.1 million. In this period there were positive variations of \$326,000 which represents a 4.5% variation to forecast. This positive variation had been trending this way through the year, however was not adjusted as was largely offset by the overs that were trending in leave and superannuation expenses.

Property Management

The Building Better Regional Cities (BBRC) Section 7.11 and Section 64 \$25,000 rebates are shown in this program and these costs totalled \$300,000 in 2018/19, compared to budgeted \$325,000. The remaining rebate (an amount of \$25,000 for one remaining lot within the Ballina Heights Scheme) has been carried forward to 2019/20.

Unexpended funds of \$47,200 for the Southern Cross Estate Master Plan will also be carried forward to 2019/20.

Savings across the property management section included overall savings in maintenance expenditure of \$65,000 and employee costs of \$19,600.

Flat Rock Tent Park

Operating income was \$27,000 above budget, due to short term tourist income. Operating expenditure was \$17,000 below budget, with the larger unders being in maintenance expenditure for the grounds and managers residence.

9.6 Budgets Carried Forward and Reserve Movements

Ballina Byron Gateway Airport

The Airport achieved an operating surplus of \$2,732,000 excluding depreciation. This was \$373,000 higher than the most recent forecast.

Operating income was very close to forecast, coming in at \$10,000 under forecast.

Operating expenditure was \$382,300 lower than forecast. This includes budgeted expenditure of \$100,000 for the airport master plan, which has not commenced yet. This budget is included in the overall transfers to airport reserve rather than being carried forward.

The larger areas of savings were \$70,400 for security costs, \$40,400 for promotions budget, \$28,300 for cleaning contracts and \$24,000 for building area/roads costs.

Community Facilities

The larger variations in operating income were \$18,400 under budget for the Kentwell Community Centre and \$11,000 under budget for the Ballina Surf Life Saving Club.

There is carry forward expenditure of \$38,000 for public halls maintenance.

An unspent operating expenditure budget of \$20,000 for the Ballina Indoor Sports Centre (BISC) has been transferred back to the BISC reserve.

Operating expenditure included budgets of \$15,000 for crown land rental of the Lennox Head Community Centre and the Ballina SLSC. As payment of these amounts has not been requested, these amounts have been placed into reserve.

There were net savings of approximately \$12,000 across other areas.

Northern Rivers Community Gallery

Previously unbudgeted grant income, of \$19,700 was received for the 360 Vision exhibition. A new expenditure budget of this amount has been raised for 2019/20.

Part of the budgeted grant funding from the Regional Cultural grant has been received, with \$15,800 of this income budget carried over to 2019/20 as this project is in progress.

Income for the gallery and Ignite studio was below budget by \$12,300, with the largest variation, of \$4,500, being in forecast commission on consignment sales.

For expenditure budgets, there is a carry forward of \$32,300 corresponding to the Regional Cultural grant already noted. Savings across the other expenditure budget come to approximately \$14,000, with the largest variation, of \$3,600, being in forecast expenditure on airport art.

9.6 Budgets Carried Forward and Reserve Movements

Library Services

Operations came in close to forecast with the net cost being approximately \$1,400,500.

The expenditure saving to budget largely represents grant funded projects of \$20,400 which will be carried forward to 2019/20 and savings in electricity expenses of \$11,000.

Swimming Pools

Operating income for both pools has well exceeded budget.

Ballina pool income for the year of \$699,900 was \$40,000 more than the (March) forecast.

Alstonville pool income for the year of \$387,200 was \$50,000 more than the (March) forecast.

Overall expenditure was below forecast for both pools, \$13,600 savings for Ballina and \$67,300 savings for Alstonville.

For Ballina, actual rates and charges (inclusive of water usage) and pool maintenance expenditure were lower than forecast, \$11,900 and \$10,100 respectively.

Electricity expenditure at Ballina was \$13,800 higher than forecast, with total expenditure of \$125,800.

Other Ballina pool expenditure items combined netted savings of \$5,400.

For Alstonville, the larger areas of savings were: lifesaving contractors, \$23,200; pool maintenance \$13,800; manager contract \$10,200; and electricity \$7,600.

Other Alstonville pool expenditure items combined netted savings of \$12,500.

Tourism

The 2018/19 budgeted income for this section included \$90,000 for the advertising income from the Visitor Information Guide, a project which is undertaken every three or four years.

Due to the release of the booklet not occurring until early 2019/20, this income budget has been carried forward to 2019/20.

The largest other variation to budget was for souvenir sales, with actual sales of \$33,300 being \$5,700 less than forecast.

Water Operations

The preliminary result for Water Operations is shown in Table Two, with a comparison to the March forecast.

Table Two - Water Operations – Draft Financial Results (\$'000)

| Item | Actual | Budget |
|--|--------------|--------------|
| Operating Revenues | 13,463 | 13,247 |
| Operating Expenses | 9,854 | 9,826 |
| Operating Result (excluding depreciation) | 3,609 | 3,421 |
| Depreciation Expense | 1,501 | 1,408 |
| Operating Result (including depreciation) | 2,108 | 2,013 |
| Capital Income | 1,178 | 600 |
| Capital Expenditure | 1,120 | 1,933 |
| Net Cash Increase | 3,667 | 2,088 |

The operating result is positive, inclusive of depreciation, which is a very important benchmark to achieve. This goes a long way to ensuring that the business is sustainable over the long term.

Operating income came in higher than the March 2018 forecast, with continued increases to water consumption income.

Operating expense was very close to budget, \$28,000 more than forecast, with a budgeted dividend of \$32,000 to the general fund not finalised yet.

Depreciation was reasonably close to forecast.

Operating expenses in recent years are shown in the following summary.

Table Three – Water Operations – Operating Expenses (\$'000)

| Item | 2018/19 | 2017/18 | 2016/17 | 2015/16 | 2014/15 | 2013/14 | 2012/13 | 2011/12 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Operating Expenses | 9,854 | 9,607 | 9,721 | 9,287 | 9,516 | 8,990 | 8,554 | 8,151 |
| Less Purchase of Water | 5,944 | 5,978 | 5,887 | 5,703 | 5,720 | 5,420 | 5,143 | 5,035 |
| Net Operating Expenses | 3,910 | 3,629 | 3,834 | 3,584 | 3,795 | 3,570 | 3,411 | 3,116 |
| Annual Change | 7.7% | -5.3% | 7.0% | -5.6% | 6.3% | 4.7% | 9.5% | |
| Average Change P. A. | 3.5% | | | | | | | |

The analysis above eliminates the Rous Water purchase of water figure, to provide the expenditure that can be directly controlled by staff.

The major increase in operating expenditure for 2018/19 was mains maintenance at \$604,900 compared to \$409,300 for 2017/18. There has been on-going proactive works to improve the condition of the mains, as well as responding to breaks, and it will be interesting to see whether the current level of expenditure continues. The budget for 2019/20 is \$480,000.

The capital income figure in Table Two refers to developer contributions which amounted to \$1,178,000 for the year.

Capital expenditure was \$1,120,000, which was \$813,000 less than forecast.

Budgets carried forward for works not completed total \$439,300.

Wastewater Operations

The preliminary result for Wastewater Operations is shown in Table Four, with a comparison to the March forecast.

9.6 Budgets Carried Forward and Reserve Movements

Table Four - Wastewater Operations – Draft Financial Results (\$'000)

| Item | Actual | Budget |
|--|--------------|--------------|
| Operating Revenues | 19,635 | 19,344 |
| Operating Expenses | 13,319 | 13,540 |
| Operating Result (excluding depreciation) | 6,316 | 5,804 |
| Depreciation Expense | 3,676 | 3,985 |
| Operating Result (including depreciation) | 2,640 | 1,819 |
| Capital Income | 2,481 | 2,130 |
| Capital Expenditure | 7,200 | 7,658 |
| Net Cash Increase | 1,597 | 276 |

For a business of this size actual operating income was close to forecast, with the major difference being recycled water income of \$264,000 compared to budgeted income of \$77,000.

Operating expense excluding depreciation was \$221,000 less than forecast, with a budgeted dividend of \$41,000 to the General Fund not finalised yet.

The largest saving in expenditures were energy costs, \$165,000 under budget.

Depreciation expense was below budget by \$309,000.

The end result was a surplus of \$2.64m, an improvement of approximately \$821,000 from the March forecast.

Capital income includes developer contributions of \$2,456,000 and backlog sewer income of \$20,000.

Capital expenditure includes loan capital repayments of \$3,387,000 whilst total capital expenditure on assets was \$458,000 less than forecast.

Budgets carried forward for works not completed total \$326,200.

Operating expenses in recent years are shown in the following summary.

Table Five – Wastewater Operations – Operating Expenses (\$'000)

| Item | 2018/19 | 2017/18 | 2016/17 | 2015/16 | 2014/15 | 2013/14 | 2012/13 | 2011/12 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Operating Expenses | 13,319 | 13,206 | 13,385 | 13,469 | 13,686 | 13,091 | 11,141 | 8,749 |
| Less Loan Interest | 3,510 | 4,055 | 4,449 | 4,346 | 4,648 | 4,767 | 3,267 | 1,173 |
| Net Operating Expenses | 9,809 | 9,151 | 8,937 | 9,124 | 9,039 | 8,324 | 7,874 | 7,576 |
| Annual Change | 7.1% | 2.4% | -2.0% | 0.9% | 8.6% | 5.7% | 3.9% | |
| Average Change P. A. | 3.8% | | | | | | | |

The analysis above eliminates the loan interest to provide the expenditure that can be directly controlled by staff.

A large part of the annual increase in operating expenses for 2018/19 was a \$300,000 contribution from Wastewater to the Water Fund for the Ethernet Telemetry upgrade. As this asset is owned by the Water Fund, and used by both Water and Wastewater, the Wastewater Fund makes a contribution to the capital cost, which is then recorded as an operating expense. With the expense eliminated the net increase in operating expenses is 3.9%.

9.6 Budgets Carried Forward and Reserve Movements

The one major increase in operating expenditure for 2018/19 was treatment plants – reactive maintenance at \$407,600 compared to \$335,200 for 2017/18.

As further capital renewal works are completed the aim is to reduce this expenditure.

In summary it is essential that Council continue to minimise operating expenses to reduce the need for increases in the access and usage charges for what are monopoly operations.

Works Carried Forward and Reserve Transfers

It is important for budgeting purposes that any incomplete projects / tasks / actions that are still on-going are carried forward to the next year (2019/20). This ensures that the current budget reflects the totality of the works and services program.

Tables Six and Seven show works now proposed to be commenced or completed in 2019/20.

Items in Tables Six and Seven have previously been approved by Council, unless noted otherwise in this report, and the designated funding source will also be carried forward.

Table Six represents operating expenses forecast for 2018/19 that did not occur, which then improves the operating result for that year. Once these budgets are carried forward the forecast operating result for 2019/20 is adversely impacted.

Table Seven represents capital expenses forecast for 2018/19 that did not occur and are now proposed for commencement or completion in 2019/20.

Table Eight shows transfers to or from reserves that are in addition to previously approved budget transfers.

Table Six - Summary of Operating Items Carried Forward to 2019/20

| Description | Expenditure Carry Forward (\$) | Income Carry Forward (\$) | Net Carry Forward (\$) | Comment |
|---|--------------------------------|---------------------------|------------------------|--|
| Planning and Environmental Health Division | | | | |
| <i>Strategic Planning</i> | | | | |
| SOS Koala Project | 10,800 | | 10,800 | Grant funded project in progress |
| Plans of Management (including Crown) | 60,000 | | 60,000 | Partly grant funded project in progress |
| Major Regional Centre - Planning | 11,700 | | 11,700 | Project in progress |
| Economic Development Projects | 4,000 | | 4,000 | Project in progress |
| Koala Study | 14,700 | | 14,700 | Project in progress |
| Biodiversity Pilot Project | 51,000 | | 51,000 | Project in progress |
| Rezoning Assessments | 83,100 | | 83,100 | LEP reviews in progress |
| <i>Environmental and Public Health</i> | | | | |
| Contaminated Lands Officer | | -140,000 | 140,000 | Grant funding which had been budgeted for 2019/20 was received late 2018/19. |

9.6 Budgets Carried Forward and Reserve Movements

| Description | Expenditure Carry Forward (\$) | Income Carry Forward (\$) | Net Carry Forward (\$) | Comment |
|--|--------------------------------|---------------------------|------------------------|---|
| Reinstatement Coastal EEC Environmental Trust R&R | 31,700 | 47,100 | -15,400 | Grant funded project in progress |
| Richmond River Governance and Funding | 47,000 | 19,000 | 28,000 | Grant funded project in progress |
| Emigrant Creek Stabilisation | 488,600 | 260,000 | 228,600 | Partly grant funded project in progress |
| Lake Ainsworth Management Plan | 52,500 | | 52,500 | Project in progress |
| Marom and Chilcotts Creek | 84,700 | | 84,700 | Grant funded project in progress |
| <i>Public Order</i> | | | | |
| Vehicle Compound Maintenance | 2,000 | | 2,000 | Works in progress |
| Division Total | 941,800 | 186,100 | 755,700 | |
| Civil Services Division | | | | |
| <i>Asset Management</i> | | | | |
| Roads Condition Assessment | 70,000 | | 70,000 | Works not commenced |
| <i>Stormwater and Environmental Protection</i> | | | | |
| Ballina Flood Management 3rd Party | 2,100 | | 2,100 | Third party funded projects in progress |
| USMP Enviro Trust Video | 21,500 | | 21,500 | Grant funded project in progress |
| <i>Roads and Bridges</i> | | | | |
| Gravel Roads Maintenance | 55,700 | | 55,700 | Works in progress |
| Natural Disaster projects | 135,100 | 48,500 | 86,600 | Grant funded projects |
| <i>Ancillary Transport Services</i> | | | | |
| Upgrade Streetlights to LED | 722,000 | 722,000 | 0 | Works not commenced |
| <i>Vegetation Management</i> | | | | |
| Grant Projects | 105,800 | | 105,800 | Works not commenced |
| Lennox Pt/Boulder Compensatory Works (Ballina Heights) | 89,000 | | 89,000 | Works not commenced |
| <i>Sporting Fields</i> | | | | |
| Construct Ballina Community Men's Shed | 100,500 | 100,500 | 0 | Being managed by a community group |
| Sport and Recreation Plan | 9,200 | | 9,200 | Works in progress |
| Division Total | 1,310,900 | 871,000 | 439,900 | |
| Corporate and Community Division | | | | |
| <i>Communications</i> | | | | |
| Community Event Program | 20,000 | | 20,000 | Donations not finalised |
| <i>People and Culture</i> | | | | |
| Elson Dixon Employment | 77,800 | | 77,800 | Grant funded project in progress |
| <i>Property Management</i> | | | | |
| Donations Ballina Heights Land Sales | 25,000 | | 25,000 | BBRC Scheme in progress |
| Southern Cross Estate Master Plan | 47,200 | | 47,200 | Project in progress |
| <i>Community Facilities</i> | | | | |
| Public Halls Maintenance | 38,000 | | 38,000 | Works in progress |
| <i>Gallery</i> | | | | |
| 360 Vision | 19,700 | | 19,700 | Grant funded project not commenced |
| Art & Cultural Program | 32,300 | 15,800 | 16,500 | Grant funded project in progress |
| <i>Tourism</i> | | | | |
| Town Signs and Information Boards | 8,900 | | 8,900 | Project in progress |
| Ballina Visitor Guide | 45,400 | 90,000 | -44,600 | Project in progress |
| Division Total | 314,300 | 105,800 | 208,500 | |
| GENERAL FUND TOTAL | 2,567,000 | 1,162,900 | 1,404,100 | |

9.6 Budgets Carried Forward and Reserve Movements

Table Seven - Summary of Capital Items Carried Forward to 2019/20

| Description | Expenditure Carry Forward (\$) | Income Carry Forward (\$) | Net Carry Forward (\$) | Comment |
|--|--------------------------------|---------------------------|------------------------|--|
| Planning and Environmental Health Division | | | | |
| <i>Environmental and Public Health</i> | | | | |
| Shaws Bay Management Plan | 68,100 | | 68,100 | Project in progress |
| Healthy Waterways - Land Acquisition | 100,000 | | 100,000 | Project in progress |
| Division Total | 168,100 | | 168,100 | |
| Civil Services Division | | | | |
| <i>Asset Management</i> | | | | |
| Surveying Equipment | 20,000 | | 20,000 | Projects in progress |
| <i>Administration Centre and Depot Facilities</i> | | | | |
| Workshop Welders Bay | 42,000 | | 42,000 | Works not commenced |
| Depot Improvements | 19,000 | | 19,000 | Works in progress |
| <i>Procurement and Building Management</i> | | | | |
| Building Asset Management Program | 2,100 | | 2,100 | Works in progress |
| <i>Stormwater and Environmental Protection</i> | | | | |
| Stormwater Asset Data Collection | 5,200 | | 5,200 | Works in progress |
| Rutherford St & Tresise PI Backflow | 4,900 | | 4,900 | Works in progress |
| Kerr St (Tamar St Richmond River) | 30,000 | | 30,000 | Works in progress |
| Burns Point Ferry Road Tide Gates | 9,800 | | 9,800 | Works in progress |
| Tanamera Drive | 21,500 | | 21,500 | Works in progress |
| <i>Roads and Bridges</i> | | | | |
| Lake Ainsworth Precinct | -209,700 | | -209,700 | Expenditure for 2018/19 exceeded budgets by \$209,700, with works progressing in advance, so 2019/20 expenditure budgets need to be revised down. |
| Marine Estate Management Strategy (MEMS) Local Land Services funded projects | -212,000 | -549,900 | 337,900 | MEMS grant funding which had been budgeted for 2019/20 was received in 2018/19 (in advance), so 2019/20 budgets need to be revised down. |
| Urban Road Reseals | 29,200 | | 29,200 | Works in progress |
| Rural Road Reseals | 114,000 | | 114,000 | Works in progress |
| Carrs Bridge | 33,800 | | 33,800 | Works in progress |
| Urban Road Heavy Patching | 31,000 | | 31,000 | Works in progress |
| Hutley Drive Northern Connection | 130,200 | | 130,200 | Works in progress |
| Airport Boulevard | 65,300 | | 65,300 | Works in progress |
| Hutley Drive Middle Connection | 32,500 | | 32,500 | Works in progress |
| Pearces Creek Bridge Repairs | 47,300 | | 47,300 | Works in progress |
| Northumberland Drive Seg 10 | 16,300 | | 16,300 | Works in progress |
| Wardell Road Seg 70 and 80 | 100,000 | | 100,000 | Works in progress |
| River Street Beautification | 260,100 | | 260,100 | Works in progress |
| Perry Street Seg 10 | 59,000 | | 59,000 | Works in progress |
| Regatta Avenue Seg 30 | 84,600 | | 84,600 | Works in progress |
| Gibbon St Seg 20 | 88,000 | | 88,000 | Works in progress |
| Bagotville Road Seg 30 and 32 | 230,300 | | 230,300 | Works in progress |
| <i>Ancillary Transport Services</i> | | | | |
| Shared Path - correction to budgets | -710,000 | -710,000 | 0 | In preparation of the 2019/20 Delivery program, and in revising expected timeframes for the coastal path projects, income and expenditure budgets were |

9.6 Budgets Carried Forward and Reserve Movements

| Description | Expenditure Carry Forward (\$) | Income Carry Forward (\$) | Net Carry Forward (\$) | Comment |
|--|--------------------------------|---------------------------|------------------------|---|
| | | | | included in 2019/20 however a corresponding adjustment was not made to the 2018/19 budgets, in error. As such, a doubling up of grant income and expenditure budgets occurred. This line is to adjust back the double up for 2019/20. |
| Shared Path - carry forward of 2018/19 budgets | 218,300 | 166,200 | 52,100 | Works in progress |
| Street Lighting Upgrades | 92,000 | | 92,000 | Works in progress |
| Car Park Commercial Road | 50,000 | | 50,000 | Works in progress |
| Coastal Walk (Section 2) | 435,700 | | 435,700 | Works in progress |
| Joindre Street Wollongbar | 11,000 | | 11,000 | Works in progress |
| Pine Ave, Short Street | 22,800 | | 22,800 | Works in progress |
| <i>Open Spaces and Reserves</i> | | | | |
| Shade Shelters Ballina Skate Park | 43,700 | | 43,700 | Works in progress |
| Ocean Pool - Shelley Beach Study | 39,100 | | 39,100 | Works in progress |
| Megan Crescent | 90,000 | | 90,000 | Works not commenced |
| Commemoration Park | 130,000 | | 130,000 | Works not commenced |
| Ferngrove Shade | 34,900 | | 34,900 | Works in progress |
| Shelly Beach | 35,000 | | 35,000 | Works not commenced |
| <i>Sporting Fields</i> | | | | |
| Skennars Head Fields | -327,600 | -51,700 | -275,900 | Expenditure for 2018/19 exceeded budgets by \$327,600, with works progressing (in advance), so 2019/20 expenditure budgets need to be revised down. |
| Wollongbar Sporting Field Improvements | 106,800 | 68,000 | 38,800 | Works in progress |
| Williams Reserve Lighting | 228,200 | 48,000 | 180,200 | Works in progress |
| Saunders Ovals Lighting | 409,300 | | 409,300 | Works in progress |
| Quays Reserve Noise Attenuation | 23,300 | | 23,300 | Works in progress |
| Kingsford Smith Retaining Wall | 26,300 | | 26,300 | Works in progress |
| Fripp Oval Fencing | 50,000 | | 50,000 | Works not commenced |
| <i>Plant</i> | | | | |
| Capital Purchases | 1,440,800 | | 1,440,800 | Purchases scheduled |
| Division Total | 3,504,000 | -1,029,400 | 4,533,400 | |
| Corporate and Community Division | | | | |
| <i>Property Management</i> | | | | |
| Boeing Ave Lots Two and Three | 1,259,000 | 1,368,400 | -109,400 | Project in progress |
| Wollongbar Land Development | 428,200 | 71,500 | 356,700 | Project in progress |
| Russellton Land | 0 | 225,000 | -225,000 | July sale proceeds |
| <i>Flat Rock Tent Park</i> | | | | |
| Flat Rock Improvements | 78,600 | | 78,600 | Works in progress |
| <i>Ballina Byron Gateway Airport</i> | | | | |
| Terminal Building Upgrade | 1,491,700 | -3,218,500 | 4,710,200 | Works in progress. Loan funding of \$2.4 million and grant funding still to be received of \$818,500 also carried forward. |
| Car Park, Solar, Boulevard Connection | 151,000 | | 151,000 | Works in progress |
| PALC and ALER | 319,300 | | 319,300 | Works in progress |
| <i>Community Facilities</i> | | | | |
| Lennox Head Community Centre | 118,900 | -700,000 | 818,900 | Works in progress |
| ALEC Improvements | 80,900 | | 80,900 | Works in progress |
| Ballina Surf Club Improvements | 12,100 | | 12,100 | Works in progress |

9.6 Budgets Carried Forward and Reserve Movements

| Description | Expenditure Carry Forward (\$) | Income Carry Forward (\$) | Net Carry Forward (\$) | Comment |
|---|--------------------------------|---------------------------|------------------------|--|
| Ballina Indoor Sport Centre | -655,000 | | -655,000 | Expenditure for 2018/19 exceeded budgets by \$655,000 with works progressing in advance, so 2019/20 expenditure budgets need to be revised down. |
| <i>Gallery</i> | | | | |
| Art & Cultural Program | 16,500 | | 16,500 | Grant funded project in progress |
| <i>Swimming Pools</i> | | | | |
| Ballina Pool Improvements | 19,000 | | 19,000 | Works in progress |
| Alstonville Pool Improvements | 27,400 | | 27,400 | Works in progress |
| Division Total | 3,347,600 | -2,253,600 | 5,601,200 | |
| GENERAL FUND TOTAL | | | | |
| | 7,019,700 | -3,283,000 | 10,302,700 | |
| Water Services | | | | |
| Alstonville Valve Replacement | 60,000 | | 60,000 | Works not commenced |
| Grant St Pipe Replacement | 47,300 | | 47,300 | Works in progress |
| Wardell Rd - Duck Creek Road | 36,900 | | 36,900 | Works in progress |
| Reservoirs Access Upgrades | 3,200 | | 3,200 | Works in progress |
| Ethernet Telemetry Upgrade | 266,600 | | 266,600 | Works in progress |
| East Ballina Boosted PZ Augmentation | 25,300 | | 25,300 | Works in progress |
| WATER FUND TOTAL | 439,300 | 0 | 439,300 | |
| Wastewater Services | | | | |
| Chikiba Rising Main Renewal | 3,100 | | 3,100 | Works in progress |
| SPS Wet Well Relining Program | 9,200 | | 9,200 | Works in progress |
| Security at Lennox & Ballina Treatment Plants | 75,000 | | 75,000 | Works not commenced |
| Kubota Membrane Turb Replacement | 153,000 | | 153,000 | Works in progress |
| Plant Purchases | 58,000 | | 58,000 | Scheduled plant purchases |
| Alstonville Master Plan | 27,900 | | 27,900 | Project in progress |
| WASTEWATER FUND TOTAL | 326,200 | 0 | 326,200 | |

Table Eight - Summary of Additional Reserve Transfers

| Reserve Description | Amount \$ | Comment |
|--|-----------|---|
| Planning and Environmental Health Division | | |
| <i>Strategic Planning</i> | | |
| Sec 7.11 Plan Reviews and Works | 219,300 | Unspent operating budget of \$19,300 for plan reviews and a further \$200,000 additional funds placed back into reserve for future reviews/works. |
| Planning and Environment Health Division Resources Reserve | 110,000 | Portion of savings from the Strategic Planning section transferred to this reserve. |
| Significant Tree Register | 14,600 | Savings from this project transferred back to Strategic Projects reserve, this project was originally funded from reserve. |
| Environmental Action Plan | 10,000 | Unspent funds to be transferred back to Strategic Projects reserve until projects identified. |
| Public Art | 15,000 | Developer contribution to public arts, to be held in reserve until projects identified. |
| Section 7.11 (previously s94) | 3,355,700 | Actual contributions plus interest of \$8,656,200 exceeded budgeted amount of \$5,300,500. |
| <i>Development Services</i> | | |
| Quarries Baseline Study | 10,000 | Unspent operating budget placed back into reserve until required. |
| <i>Building Services</i> | | |

9.6 Budgets Carried Forward and Reserve Movements

| | | |
|--|---------|--|
| Planning and Environment Health Division Resources Reserve | 50,000 | Portion of favourable operating result for the Building Services section transferred to this reserve. |
| Civil Services Division | | |
| <i>Stormwater and Environmental Protection</i> | | |
| Coastal Zone Management Plan | 27,100 | Net unspent budget transferred back to reserve, until required. |
| Ballina Bypass | -10,000 | Actual interest on reserve balance of \$60,000 compared to budgeted amount of \$70,000. |
| Roads Contingency Reserve | 20,000 | Unspent operating budgets for Alstonville and Ballina town centres transferred back to reserve. |
| <i>Ferry, Wharves & Jetties</i> | | |
| Transfer to Civil Works Wharves Reserve | 35,000 | Revision of capital project budgets and savings in operating budgets |
| <i>Cemeteries</i> | | |
| Cemetery Operations | -1,100 | The actual transfer to reserve was \$121,900 compared to budgeted transfer of \$123,000, due to a slight unfavourable operating result. |
| <i>Plant</i> | | |
| Transfer to Plant Reserve | 0 | The plant fund's operational result was highly unfavourably in 2018/19, coming in at \$872,600 which was below budget by \$343,700. For plant capital budgets, there were unspent funds of \$1,784,500 which would normally be considered for carryforward to the following year. Given that the funds reserve balances are already in issue, it is proposed that the carryforward budgets be reduced by the shortfall. That is, the proposed capital budget carryforward is \$1,440,800, to compensate for the unfavourable operating result. Excluding carryforwards, the actual transfer to reserve was \$1,216,200 equaling the budgeted transfer. |
| <i>Quarries and Sandpit Operations</i> | | |
| Transfer to Quarry Reserve | 52,900 | The operating result for this section was \$52,900 below budget, with budgeted expenditure of \$50,000 for the noise and air pollutant assessment not undertaken. In addition to transferring the unspent \$50,000 back to reserve, an actual transfer to reserve was \$14,300 compared to budgeted transfer of \$11,400, due to the slight favourable operating result. |
| <i>Domestic Waste Management</i> | | |
| Transfer to DWM Reserve | 82,600 | Actual operating surplus of \$757,000 compared to a budgeted operating surplus of \$674,400. The resulting variation has the reserve balance being \$82,600 higher than budget. |
| <i>Landfill & Resource Recovery</i> | | |
| Transfer to Waste Reserves | -73,500 | Operating surplus for the year of \$689,000 less capital expenditure of \$74,300, dividend of \$2,220,000 to general fund resulting in a net decrease to the reserves of \$1,651,600. Budgeted net transfer to reserve (decrease of \$1,577,500) was based on budgeted operating surplus of \$743,000, dividend of \$2,220,000, capital expenditure of \$100,500. The resulting variation was the reserve balance being \$73,500 less than budget. |
| Corporate and Community Division | | |
| <i>Financial Services</i> | | |
| 19/20 Financial Assistance Grant | 118,000 | 19/20 funding received in advance (additional amount of the 18/19 amounts received in advance). |
| <i>People and Culture</i> | | |
| Employee Leave Entitlements | 120,000 | Additional amounts transferred to reserve for payments of leave entitlements. |
| <i>Crown Reserves</i> | | |
| Crown Properties Expenses and Rental | -20,500 | Actual income of \$31,000 compares to budgeted income of \$41,300; Actual expenses of \$82,600 compares to budget of \$72,400. |

9.6 Budgets Carried Forward and Reserve Movements

| <i>Community Infrastructure Reserve</i> | | |
|---|-----------|--|
| Interest | 17,200 | Actual interest of \$27,200 compares to budgeted income of \$10,000. |
| 89 Tamar St | 12,400 | Actual income of \$740,400 compares to budgeted income of \$739,000. Actual costs of \$60,900 compares to budgeted costs of \$71,900. |
| Fawcett St Café | 12,300 | Actual income of \$68,100 compares to budgeted income of \$68,000. Actual costs of \$13,700 compares to budgeted costs of \$25,900. |
| <i>Property Development Reserve</i> | | |
| Interest | 4,300 | Actual interest of \$43,300 compares to budgeted income of \$39,000. |
| ARC | 3,600 | Actual income of \$259,100 compares to budgeted income of \$259,000. Actual costs of \$500 compares to budgeted costs of \$4,000. |
| Recoupments from s7.11 | 1,000,000 | Actual recoupments of \$2,800,000 compares to budgeted recoupments of \$1,800,000. |
| Miscellaneous Sales | 41,700 | Actual sales of \$341,700 compares to budgeted sales of \$300,000. |
| <i>Caravans and Camping Ground</i> | | |
| Flat Rock Tent Park | 43,000 | Transfer to reserves, excluding capital carryforwards, is \$43,000 above budget due to favourable operating result. |
| <i>Ballina Byron Airport</i> | | |
| Airport reserves | 372,200 | Transfer to reserves, excluding capital carryforwards, is \$372,200 above budget due to favourable operating result of \$272,500 and the unexpended budget of \$100,000 for the airport master plan which has been put back into the reserve. |
| <i>Community Facilities</i> | | |
| Lennox Head Surf Club | 31,200 | Unspent capital budget for Lennox Head Surf Club transferred back to Community Facilities reserves. |
| Crown Reserves | 15,000 | Crown land rental budgets for Lennox Head Community Centre and Ballina SLSC transferred to reserve as not yet invoiced. |
| <i>Library Services</i> | | |
| Library Special Projects Reserve | 20,400 | |
| <i>Water Supply</i> | | |
| Section 64 | 617,200 | Developer contributions of \$1,178,000 and interest of \$260,500 with s64 funded capital expenditure \$19,900. Net increase to reserve of \$1,418,600. Budgeted increase was \$801,400. Increase above budget is \$617,200. |
| Refurbishment | 961,700 | Operating surplus of \$3,348,500 (excludes depreciation and s64 interest) with refurb reserve funded capital expenditure of \$1,100,200 Net increase to reserve of \$2,248,300. Budgeted increase was \$1,286,600. Increase above budget is \$961,700. |
| | | |
| <i>Wastewater Services</i> | | |
| Section 64 | -967,700 | Developer contributions of \$2,456,000 and interest of \$172,400 with s64 funded capital expenditure \$2,628,500. Net decrease to reserve of \$100. Budgeted increase was \$967,600. Below budget by \$967,700. |
| Refurbishment | 2,243,000 | Operating surplus of \$6,143,900 (excludes depreciation and s64 interest), capital income of \$25,000, with refurb reserve funded capital expenditure of \$4,618,100. Net increase to reserve of \$1,550,800. Budgeted decrease was \$692,200. Above budget by \$2,243,000. |

Sustainability Considerations

- **Environment**
Many of the projects have environmental, social or economic outcomes.
- **Social**
As above
- **Economic**
As above

Legal / Resource / Financial Implications

There are no significant financial implications from this report as the report details movements between years and surplus funds going into reserves.

The one major item of interest is the additional Section 7.11 recoupment funds of \$1m transferred to the Community Infrastructure Reserve. Council was able to recoup a record level of contributions to this Reserve for 2018/19 and the additional \$1m transferred to the Reserve will help Council bring forward the planned reconstruction of the Ballina SES building.

Consultation

Many of the reserve transfers involve consultation across the organisation.

Options

This report is designed to provide an overview of the preliminary results for 2018/19 and to ensure Councillors are informed on the works and services carried forward and the transfers to reserves.

The options are to approve or not approve the adjustments with the recommendation for approval.

RECOMMENDATIONS

1. That Council notes the contents of this report in respect to the forecast operating results for 2018/19.
2. That Council approves the works and services carried forward and reserve movements, as outlined in Tables Six, Seven and Eight of this report, for inclusion in the Long Term Financial Plan.

Attachment(s)

Nil

9.7 3 Brunswick Street, Ballina (West End Hall) - Disposal

9.7 3 Brunswick Street, Ballina (West End Hall) - Disposal

Delivery Program Commercial Services

Objective To determine if Council wishes to demolish the building prior to sale.

Background

In March 2018, Council resolved to sell 3 Brunswick Street, Ballina (the West End Hall) with the resolution as follows:

“The General Manager is authorized to arrange the disposal of the property containing the West End Hall at 3 Brunswick Street Ballina on the basis that as community infrastructure, the existing hall has reached the end of its economic life.

Further, that the method of disposal of the property, and the outcome, should aim to deliver the best financial return for Council, with net revenue being allocated to the maintenance of Council’s other community halls.”

In April 2019 Council resolved to allocate \$20,000 of the sale proceeds to provide improvements to the shed at the Council Depot, for storage of goods by the Ballina Lions Club.

This was due to the alternative accommodation offered by Council to the Ballina Lions Club being unsatisfactory for their needs, with a large part of their income generated from the sale of goods such as Christmas cakes.

The Ballina Lions Club has accepted this proposal and the works are scheduled to be completed by the end of September 2019.

This means that Council can now proceed with the sale of the West End Hall and the report that follows seeks direction on whether the property is to be sold with the existing building in place or removed.

Key Issues

- Removal or retention of the existing building

Information

Council has received an updated draft valuation report for this property. The report states that the vacant land value estimate is \$42,500 (GST free) more than the “as is” value; the property is worth more as a vacant site than with the existing building improvements on it.

This is a draft report only as final planning advice is still being sought on what planning outcomes can be achieved on the property due to its relatively small size and flooding impacts.

9.7 3 Brunswick Street, Ballina (West End Hall) - Disposal

The valuation report has not been included as it provides commercial in confidence information and Council will need to resolve into confidential session to discuss the actual values.

One quotation has been sourced for the demolition of the building, including an asbestos clearance, with the quotation being approximately \$25,000. Development consent is also needed for demolition.

This means that the cost for removal of the building is approximately \$30,000.

The site is a relatively small parcel of land at 208.7 square metres and site filling is needed for any new building.

On balance the preferred approach for the sale, which is likely to be initially by auction, is to make the property as attractive for as many buyers as possible.

On that basis the preferred option is to have the site cleared of the building, including any asbestos.

From a Council perspective the removal of any asbestos is a good outcome for the broader community.

This does carry some risk in that the cost of the removal and remediation could possibly be more than the net increase in the sale value, albeit this is somewhat hypothetical as Council will never be able to confirm what the sale would have been if the building had not been removed.

Legal / Resource / Financial Implications

The net funds generated from the sale will be transferred to the Community Infrastructure Reserve for funding improvements on other halls and community facilities.

Council has already allocated funds from the Community Infrastructure Reserve to various projects in the 2019/20 to 2022/23 Delivery Program and Operational Plan although a buffer is retained in the reserve to assist with any project variations.

As the expenditure on the demolition and removal of the asbestos will be reimbursed, along with the sale proceeds, in a relatively short period, it is recommended that this additional expenditure be financed from the Community Infrastructure Reserve.

Consultation

There has been on-going consultation with the Ballina Lions Club and with valuers in respect to the valuation and sale of the property.

Options

The options are to sell the land as is or with the building removed. As the draft valuation estimates that Council will generate a marginally better return with the building removed the recommendation is to finance the demolition and asbestos removal.

9.7 3 Brunswick Street, Ballina (West End Hall) - Disposal

This recommendation places more weight on the corporate response in having asbestos removed from our community rather than achieving an improved financial outcome, as the difference is likely to be marginal.

The recommendation also confirms that the \$20,000 allocated to the refurbishment of the Ballina Lions Club storage facility at the Council Depot will be funded from the Community Infrastructure Reserve.

The original resolution was silent on this as the approach was to reimburse the monies from the sale proceeds. This will still happen however, it is appropriate to have an interim funding source identified.

With the Ballina Lions Club agreeing to the works it will be beneficial to have the Depot works completed and all the storage items removed from 3 Brunswick Street, Ballina as promptly as possible.

This will then allow the sale of 3 Brunswick Street, Ballina to proceed without any further delays.

RECOMMENDATIONS

1. That Council approves a transfer from the Community Infrastructure Reserve of \$30,000 to allow the removal of the building from 3 Brunswick Street, Ballina.
2. That Council confirms a transfer from the Community Infrastructure Reserve of \$20,000 to finance the improvement works for the storage facility at the Council Depot, Southern Cross Drive, Ballina for the Ballina Lions Club
3. That Council re-affirms that the net proceeds of the sale of 3 Brunswick Street, Ballina are to be transferred to the Community Infrastructure Reserve.

Attachment(s)

Nil

10.1 Ballina Shire Heavy Haulage Contributions Plan - Review

10. Civil Services Division Reports

10.1 Ballina Shire Heavy Haulage Contributions Plan - Review

Delivery Program Asset Management

Objective To endorse the Draft Ballina Shire Heavy Haulage Contributions Plan for exhibition.

Background

Council adopted the current Ballina Shire Heavy Haulage Contributions Plan 2011 on 27 October 2011.

The document has now been reviewed and a draft Ballina Shire Heavy Haulage Contributions Plan (the Plan) has been prepared for public exhibition. The plan includes financial updates, revised design parameters and mapping of roads that may be impacted by heavy haulage.

A copy of the draft Plan is included as Attachment 1.

Key Issues

- Ensure plan reflects contemporary standards

Information

The Plan, as attached, is an updated version of the 2011 plan.

As with all infrastructure, roads have an economic design life. The impact of heavy haulage vehicles can significantly reduce the design life of a road. This impact on the local road network by heavy haulage vehicles contributes to the decline in serviceable life of roads, thereby bringing forward the cost of renewal.

The role of the plan is to identify a reasonable level of contribution paid to Council for road reconstruction, rehabilitation or maintenance works from developments that generate heavy haulage traffic on local roads.

The Plan has been fully reviewed, and the following specific items within the review are noted.

1. The method of contribution calculation remains the same (with updated rates) for the per tonne contribution rate for extractive industries and/or processed quarry material and mines.
2. The Shire map showing roads that may be funded by this plan has been updated in response to the significant highway upgrades and new development areas in the Shire, which has resulted in new or changed haulage routes affecting local roads.
3. Referencing of documents to reflect current document versions.

4. Use of updated data for traffic growth figures and road life for each road surface type.

Sustainability Considerations

- **Environment**

Works completed under the plan are implemented in accordance with Council's environmental management practices. Well-maintained roads reduce the impact of the road network on the surrounding environment.

- **Social**

The plan enables contributions to be paid by development to assist with the upkeep of the local road network. This ensures the community has access to well-maintained roads and the community is liable for the full cost of repairs associated with the damage to local roads caused by heavy haulage vehicles.

- **Economic**

A well-maintained road network encourages economic development.

Legal / Resource / Financial Implications

Section 7.11 (Environmental Planning and Assessment Act 1979) developer contribution plans (formerly section 94 plans) enable the cost of future road reconstruction, rehabilitation or maintenance caused by heavy haulage vehicles to be recouped from development through development consent conditions.

The Plan has been prepared in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulation 2000, and Departmental Practice Notes.

Consultation

The Environmental Planning and Assessment Regulation 2000, requires public exhibition of draft contributions plans.

Placing the draft Plan on public exhibition will enable the public and key stakeholders to assess the proposed contributions plan and make submissions.

Following exhibition Council must consider any submissions and may approve the Plan in the form publically exhibited, approve it with alterations or the Council may decide not to proceed with the Plan.

Options

1. Place the *Draft Ballina Shire Heavy Haulage Contributions Plan 2018* on public exhibition.

10.1 Ballina Shire Heavy Haulage Contributions Plan - Review

It is timely to update the Plan. The implementation of this Plan ensures future development is contributing to mitigate the impacts from development on our local road network. This is the recommended option.

2. Amend the *Draft Ballina Shire Heavy Haulage Contributions Plan 2018* prior to placing on public exhibition. The draft, as attached, reflects contemporary information in respect to heavy haulage movements.
3. Do not place the *Draft Ballina Shire Heavy Haulage Contributions Plan 2018* on public exhibition. It is timely for the Plan to be updated.

RECOMMENDATIONS

1. That Council approves the public exhibition of the Draft Ballina Shire Heavy Haulage Contributions Plan 2019, as attached to this report, in accordance with Clause 28 of the *Environmental Planning and Assessment Regulation 2000* for a period of not less than 28 days.
2. That a further report be presented to Council following the exhibition period outlining any submissions received and any other matters that may arise during the exhibition period.

Attachment(s)

1. Ballina Shire Heavy Haulage Contributions Plan 2019 (draft) (Under separate cover)

10.2 Shared Path Network - Lennox Head and Fig Tree Hill Drive

Delivery Program Asset Management

Objective To respond to a resolution in respect to the shared path network between Lennox Head and Fig Tree Hill Drive.

Background

At the 27 June 2019 Ordinary meeting, Council discussed the Lennox Village Vision Project and resolved to proceed with its implementation, while also resolving as follows:

“That Council receive a report on a shared path network between Lennox Head and Fig Tree Hill Drive.”

Also discussed at that meeting, and relevant to this report, was the response to public submissions on the draft 2019/20 to 2022/23 Delivery Program and Operational Plan.

These submissions from (three) Fig Tree Hill residents requested an extension of the existing cycle path to allow access for residents of Fig Tree Drive, Sanctuary Village and Cooper Close. The response in the report was as follows:

“Council has completed two studies that identify future path, shared path and cycle path projects. These studies comprise the Pedestrian Access and Mobility Plan (PAMP), last adopted in 2018 and the Bike Plan, adopted in 2017, both of which are located on Council’s website.

The PAMP has been in place for approximately 15 years, with a number of revisions, and it has provided a framework to facilitate improvements to pedestrian and cycling accessibility.

This framework provides for community input and a uniform and consistent method of assessing and prioritising path projects.

The PAMP has a \$5M infrastructure program comprising some 90 projects over a ten-year period.

The PAMP program informs the Footpaths and Shared Paths Capital Works priorities for the next four years, as per the Delivery Program, which has a recurrent budget of approximately \$500,000 per annum.

The Ross Lane connection is not identified in the PAMP.

The 2017 Bike Plan was completed as a separate strategic document to provide direction towards a more bicycle friendly environment, and to assist Council in applying for grant funds for what are often major projects.

The request from the Fig Tree Hill residents has been identified in the Bike Plan as a future Lennox Head project, and shows the path continuing along Ross Lane to a future CURA B precinct (top of Ross Lane).

10.2 Shared Path Network - Lennox Head and Fig Tree Hill Drive

This project has been assessed as a low priority in the Bike Plan due to the longer-term need for the connection to CURA B.

The Bike Plan has approximately 75 projects with preliminary estimates totalling nearly \$10m.

Bike Plan actions have been included in the draft 2019/20 to 2022/23 Delivery Program with funding of: 2019/20 \$59,000, 2020/21 \$82,000, 2021/22 \$100,000 and 2022/23 \$100,000.

No specific works have been confirmed for this funding, albeit that a fully constructed cycleway to Fig Tree Hill is estimated to cost approximately \$0.5m.

It is likely that Council will need to examine the priority for Bike Plan projects based on applications for grant funding, which is how a large part of the current and planned Coastal Shared Path and Coastal Walk projects have been funded.

There is insufficient funding available for the Fig Tree Hill project, unless the entire footpaths and shared paths budget for one year is allocated to the project.”

Key Issues

- Lennox Head strategic planning framework
- Bike Plan and PAMP Priorities
- Costs

Information

Future path projects, shared path projects and cycle path projects in the Shire have been identified and prioritised in two studies: the Bike Plan and the PAMP, adopted in 2017 and 2018 respectively.

Neither the Bike Plan nor the PAMP identify a shared path from Lennox Head village to Fig Tree Hill as a high priority.

A total of 271 residents in 148 separate dwellings occupy the area encompassing Fig Tree Hill, Coopers Close and Sanctuary Village (source: id.com.au/ballina). This represents a relatively low demand from a local resident perspective as compared to other shared path projects with a higher priority.

Future road and planning developments in the vicinity of Ross Lane are likely to increase the demand for pedestrian and cycling infrastructure along Ross Lane. Most notably with the development of the Cumbalum Urban Release Area (CURA) Precinct B, which lies towards the western end of Ross Lane and has a development area of approximately 470 hectares. Infrastructure will be needed to support this future urban development, including roads, intersections, open space, recreation facilities and community facilities.

Current daily traffic volumes for Ross Lane are 6,163 vehicles per day (eastern end of Ross Lane, Byron Bay Road intersection) and 5,498 vehicles per day (western end of Ross Lane, Pacific Highway interchange).

10.2 Shared Path Network - Lennox Head and Fig Tree Hill Drive

Estimated daily volumes for the year 2036 for the fully developed CURA (Precincts A and B) are estimated at 12,000 vehicles per day at the eastern end of Ross Lane and estimated 11,000 vehicles per day at the western end of Ross Lane.

Bike Plan

The Bike Plan is the primary strategic document that outlines Council's direction and framework for establishing a bicycle-friendly environment within the Shire over the next 10 years, and to assist Council in applying for grant funds for what are often major projects.

The request from the Fig Tree Hill residents has been identified in the Bike Plan as a future Lennox Head project, and shows a 5.76 km shared path continuing along Ross Lane to the future CURA Precinct B.

This project, which has yet to be costed, is identified as a low priority in the Bike Plan due to the longer-term need for a connection to CURA Precinct B.

The Bike Plan has approximately 75 projects with preliminary estimates totalling nearly \$10 million. No specific works have been confirmed for this funding, albeit a fully constructed cycleway to Fig Tree Hill is estimated to cost approximately \$0.5 million.

A copy of the Bike Plan, Cumbalum to Lennox Head, map is provided in Attachment 1.

PAMP

The PAMP provides a prioritised works schedule for footpaths and pedestrian facilities. Developing the PAMP involved a review of existing pedestrian projects, collecting pedestrian crash data and consulting with communities.

Over 300 community submissions were received for the PAMP.

A shared path to Fig Tree Hill has not been identified as a priority in the PAMP in anticipation of the future CURA connection.

It is anticipated that a future CURA development approval will be conditioned to provide internal roads, footpaths and shared path infrastructure.

A copy of the PAMP Delivery Program, Lennox Head North, map is provided in Attachment 2.

Lennox Head Strategic Plan

Aside from the benefits to the Fig Tree Hill, Sanctuary Village and Coopers Close residents, the construction of a shared path to these communities has the potential to reduce the demand on parking within Lennox Head village along with other environmental and social benefits. The extent of these benefits has not been assessed and needs to be considered within the context of a broader planning strategy for Lennox Head.

A review of the Lennox Head planning framework is scheduled to commence this financial year through the preparation of the Lennox Head Strategic Plan.

This is another appropriate forum to explore the pedestrian and cycle connectivity aspirations of the community further, including assessing priorities.

An action of the Lennox Head Strategic Plan might then be to review the Bike Plan and PAMP in order to prioritise the construction of pedestrian and cycle pathways to Lennox Head village centre from residential areas within a reasonable riding/walking time from the centre, albeit both the PAMP and Bike Plan are reviewed regularly.

Sustainability Considerations

- **Environment**

Cycling and pedestrian activity (such as by walking, wheelchair, mobility scooter) are healthy and sustainable forms of transport and provision of safe and convenient pedestrian routes will facilitate reduced car use, resulting in environmental benefits such as decreased road congestion, and improved air quality.

- **Social**

Cycling and pedestrian networks provide enhanced social connectivity, and there are physical, social and mental health benefits from cycling and walking for individuals and groups. These networks also enhance recreational opportunities and improve the liveability of communities.

- **Economic**

The provision of infrastructure associated with the PAMP and Bike Plan aims to reduce the trauma and costs associated with traffic accidents. In addition, cycling, walking and other pedestrian activity are low-cost forms of transport, which results in both reduced vehicle operating and infrastructure costs. Promotion of shared path networks can also contribute to economic development with increased consumer expenditure on local businesses, and attraction of tourism. It may also afford cost savings associated with participation in physical activity with flow-on affects to the health system.

Legal / Resource / Financial Implications

The PAMP is a \$5M infrastructure program comprising some 90 projects over a ten-year period.

10.2 Shared Path Network - Lennox Head and Fig Tree Hill Drive

The PAMP program informs the Footpaths and Shared Paths Capital Works priorities for the next four years, as per the Delivery Program, which has a recurrent budget of approximately \$500,000 per annum.

A cycle path to Fig Tree Hill is not identified as a priority in this program.

The Bike Plan has approximately 75 projects with preliminary estimates totalling nearly \$10m.

Bike Plan actions are included in the current delivery program with funding of: \$59,000 in 2019/20, \$82,000 in 2020/21, \$100,000 in 2021/22 and \$100,000 in 2022/23.

No specific works have been confirmed for this funding and are subject to further reporting to Council.

A cycle path to Fig Tree Hill has been assessed as a low priority project in the Bike Plan due to the longer-term need for the connection to CURA Precinct B.

It is estimated that a fully constructed cycleway to Fig Tree Hill will cost around \$0.5m.

Insufficient funding is available for the Fig Tree Hill project, unless the entire footpaths and shared paths budget for one year is allocated to the project.

It is likely that Council will need to examine the priority for Bike Plan projects based on applications for grant funding, which is how a large part of the current and planned Coastal Shared Path and Coastal Walk projects have been funded.

Consultation

Community consultation was undertaken during preparation of both the PAMP and the Bike Plan.

No submissions were received during the PAMP's community consultation and exhibition regarding a path/cycleway between Fig Tree Hill/Sanctuary Village and Lennox Head village. Only one submission on this issue was received during exhibition of the draft Bike Plan.

Options

1. Council could defer further consideration of a shared path between Lennox Head and Fig Tree Hill until the Bike Plan and PAMP are reviewed (or until otherwise facilitated by a future CURA B development approval).

This will ensure a more equitable outcome because this particular shared path will then be evaluated within the broader scope of a shire-wide network of shared paths.

Furthermore, provision of a shared path at this location could be considered within the next (impending) review of the Lennox Head Strategic Plan.

10.2 Shared Path Network - Lennox Head and Fig Tree Hill Drive

Shared paths could contribute to relieving car parking pressures within Lennox Head village along with providing other environmental and social benefits.

These benefits might elevate the importance of a providing a shared path from Lennox Head village to Fig Tree Hill, which might then influence its prioritisation within any subsequent review of the Bike Plan and PAMP.

Option 1 is recommended for these reasons.

2. Council could pursue a more detailed assessment of the feasibility of a shared path between Lennox Head and Fig Tree Hill, including a detailed costing, to better understand the ramifications of this project for Council's current delivery program.

This approach is not recommended as it displaces the work done on the current Bike Plan and PAMP with both these documents having already considered a shared path to Fig Tree Hill and been subject to community consultation.

RECOMMENDATIONS

1. That Council notes the contents of this report on the shared path network between Lennox Head and Fig Tree Hill Drive and agrees to defer any further detailed evaluation of this shared path until the next review of the Bike Plan and / or Pedestrian Access and Mobility Plan.
2. That Council notes there will also be an opportunity to consider pedestrian and cyclist connectivity between Lennox Head and Fig Tree Hill in the preparation of the Lennox Head Strategic Plan.

Attachment(s)

1. Ballina Shire Bike Plan - Map 7 Cumbalum to Lennox Head
2. PAMP Delivery Program - Figure 5G Lennox Head North

10.3 Tender - Tri-Axle Tipper Trailer

10.3 Tender - Tri-Axle Tipper Trailer

Delivery Program Support Operations

Objective To award the tender for the supply and delivery of one tri-axle side tipping trailer.

Background

Tenders were advertised in May 2019 for the supply and delivery of one tri-axle Side Tipping Trailer.

Council's plant purchases are normally made under the plant and equipment contracts offered through State Government approved organisations such as the State Government contracts system and Local Government Procurement. This eliminates the need to call tenders as those organisations have already conducted the tender process.

For this item, there was no suitable contract and Council has called for tenders.

Council's existing tipper trailer has been in operation since 1981 and requires replacement.

This report provides the outcomes from the tender evaluation process.

Key Issues

- Comply with the Local Government (General) Regulation 2005
- Assess value for money

Information

Tender submissions closed 14 May 2019 and submissions were received from two suppliers:

- Maxitans Australia Pty Ltd
- Haulmark Trailers (Australia) Pty Ltd

The tenders were assessed by a tender evaluation panel in accordance with the internal tendering procedure.

Both submissions were conforming to the mandatory technical specifications.

The details of the price component of the tender submissions has been provided to Councillors by separate confidential memorandum.

Sustainability Considerations

- **Environment**
Not Applicable

10.3 Tender - Tri-Axle Tipper Trailer

- **Social**
Not Applicable
- **Economic**
Council replaces plant at optimum times to manage operational costs, while ensuring that plant meet the organisation's operational needs.

Legal / Resource / Financial Implications

The endorsed Plant Replacement Program for 2018/19 allocated \$190,000 for the replacement of this plant item. This allocated replacement value is inclusive of the purchase of the new plant item and the income from the sale of the existing item of plant.

The funding for this purchase is included in the Budgets Carried Forward report earlier in this agenda.

Consultation

A public tender process was undertaken.

Options

Considering Part 7 Clause 178 of the Local Government (General) Regulations 2005. The following options are available:

1. Accept the tender that, having regard to all the circumstances, appears to be the most advantageous.

The operator assessment for the Haulmark trailer is supportive of this recommendation and the price tendered is in accordance with the estimate. Only a few suppliers are available in the market and this level of response is not unexpected.

2. Decline to accept any tenders and invite fresh applications from persons interested in tendering for the proposed contract. This is not recommended, as this item of plant is required to be replaced, due to its age and condition.

RECOMMENDATIONS

1. That Council accepts the tender for the supply and delivery of one tri-axle side tipper trailer from Haulmark trailers.
2. That Council authorises the Council seal to be attached to the contact documents.

Attachment(s)

Nil

10.4 Tender - Construction and Upgrade of Booster Pump Stations

10.4 Tender - Construction and Upgrade of Booster Pump Stations

Delivery Program Water and Wastewater

Objective To award the tender for the construction and upgrade of the East Ballina Reservoir and Basalt Court booster pump stations.

Background

This project has two components being the construction of a new booster pump station at the East Ballina Reservoir and upgrading the existing booster pump station at Basalt Court. The construction of the new booster pump station at the East Ballina Reservoir is part of a larger initiative to bring the recently refurbished East Ballina Reservoir back into service. This project will create redundancy in the system and provide a backup water supply in the Pine Avenue supply area, improving operational flexibility. Upgrading the Basalt Court booster pump station will improve reliability and create operational efficiencies.

Open tenders were called on 18 June 2019 stipulating a closing date and time of 2:00pm on 9 July 2019, through the Council e-Tendering web site. A mandatory tender briefing session was held on 25 June 2019. This was attended by nine competing service providers.

This report provides the outcomes from the tender evaluation process.

Key Issues

- Comply with the Local Government (General) Regulation 2005
- Assess value for money

Information

From the nine prospective tenderers who attended the mandatory site briefing session, tenders were received from the following service providers:

- Coffs Harbour City Council t/a Coastal Works
- Eire Contractors Pty Ltd
- Ledonne Constructions Pty Ltd

All tender submissions were assessed to ensure conformance with the conditions of tender and mandatory assessment criteria, being:

- Relevant Project Experience
- Methodology
- Preliminary Program of Works
- References
- Key Project Personnel
- Work Health & Safety
- Documented environmental, safety and quality management systems
- Insurances

10.4 Tender - Construction and Upgrade of Booster Pump Stations

All three tenders met the mandatory criteria, and were assessed using the following weighted selection criteria:

- Local based and understanding and/or use of local suppliers - 15%
- Total Price - 85%

Eire Contractors Pty Ltd (Eire) was selected as the preferred tenderer.

The price offered by Eire is substantially lower than the other tendered prices, and aligns well with the pre-tender estimate. More information regarding the pricing and tender assessment has been provided to Councillors by separate confidential memorandum.

Through the evaluation process, it was identified that Eire failed to nominate a service provider to design, manufacture, program and install the switchboards for this project, despite having clearly priced this element for delivery.

This requirement is to be corrected prior to entering into a contract with Eire.

Sustainability Considerations

- **Environment**

The environmental assessment and determination of the proposal has been undertaken in accordance with Part 5 of the Environmental Planning & Assessment Act 1979 (EP&A Act) and in accordance with Clause 228 of the Environmental Planning & Assessment Regulation 2000 (the Regulations).

- **Social**

This infrastructure supports the reliability and capacity of Council's water supply. Both sites for the booster pump stations are located in close proximity to local residents. To mitigate issues which could cause an annoyance to residents, construction times will be limited to those specified in the Environmental Part 5 approval. Neighbouring property owners will be notified before construction works commence.

- **Economic**

The objectives of this project are to improve operational reliability and increase operational efficiency through replacing the aging Basalt Court booster, and creating a boosted supply zone at East Ballina to support the return operation of the East Ballina Reservoir.

Legal / Resource / Financial Implications

The price submitted by the preferred tenderer is consistent with the pre-tender construction estimate. However, due to recent detailed design changes to ensure appropriate noise reduction and other items, the original budget is insufficient for this project.

While this shortfall was identified through the process to prepare the pre-tender construction estimate, it was decided to hold over any budget adjustments until the market response had been assessed.

10.4 Tender - Construction and Upgrade of Booster Pump Stations

When current commitments are considered, the total budget for this project is currently \$1,015,000. It is recommended that an additional \$245,000 be allocated to cover the construction works. This would bring the revised total budget to \$1,260,000 including existing commitments.

Two projects scheduled for implementation later in the financial year have been selected for deferral. These deferrals can be accommodated operationally and potentially be funded from reserves if there is an opportunity to adjust the program later in the financial year. The two projects identified for deferral are:

- Pressure Reduction Valve (Water Wheels) \$140,000
- Drinking Water Renewals \$105,000

Consultation

A public tender process was undertaken.

Options

Considering Part 7 Clause 178 of the Local Government (General) Regulations 2005. The following options are available:

1. Accept the tender that, having regard to all the circumstances, appears to be the most advantageous. It is recommended that Council accept the Eire tender for this project, subject to the provision of data schedules Appendix H1 and H2.
2. Decline to accept any tenders and invite fresh applications from persons interested in tendering for the proposed contract. This is not recommended for the reasons outlined in this report.

RECOMMENDATIONS

1. That Council accepts the tender from Eire Constructions Pty Ltd for the East Ballina Reservoir and Basalt Court Booster Pump Stations Construction for the tendered amount of \$1,052,036.02 (ex GST) subject to the provision of data schedules Appendix H1 and H2.
2. That Council approves the allocation of an additional \$245,000 to this project to be funded by the deferral of the following projects from the 2019/20 budget.
 - Pressure Reduction Valve (Water Wheels) \$140,000
 - Drinking Water Renewals \$105,000
3. That Council authorises the Council seal to be attached to the contract documents.

Attachment(s)

Nil

10.5 Stormwater Drainage - Coogee Street

10.5 Stormwater Drainage - Coogee Street

Delivery Program Asset Management

Objective To consider drainage remediation options for a property in Coogee Street

Background

At the 27 July 2019 Ordinary meeting, during a review of the capital expenditure program for 2018/19, Council resolved as follows:

“That Council receive a report on drainage remediation options for a property in Coogee Street.”

The management of stormwater drainage at Coogee Street, East Ballina near the intersection with Central Avenue has been an ongoing issue because the location is in the lowest part of a natural “basin” without any traditional (gravity) stormwater drainage outlets.

It is a singularly unique situation reliant on what is the only stormwater pump station in the Shire.

The following report provides an overview of the location and stormwater related matters.

Key Issues

- Flooding risk management
- Cost

Information

Attachment 1 shows the existing landform contours. There is no natural overland flow path for waters to drain away, with the current drainage system requiring a pump station to convey stormwater.

It is the only stormwater pump station in Ballina Shire and was installed when the land was subdivided.

Flooding has occurred repeatedly over the years when the basin collected stormwater during rainfall events and the pumping effort was unable to prevent stormwater from flooding the road, which at times entered the yard and occasionally the garage at No. 12 Coogee Street – see Attachment 2.

Flooding occurred with increasing frequency between 2010 and 2015 as pump performance and reliability worsened, exacerbating flooding problems, which the property owners reported as a result of these repeated events.

Council’s initial investigations for upgrading the pump station involved preparing an options study in 2012.

10.5 Stormwater Drainage - Coogee Street

The study identified seven contemporary options to manage a range of design flood events:

1. Install two new pumps and additional underground detention storage to cater for 100-year Average Recurrence Interval (ARI) storm event. Cost \$1.79M
2. Install three new pumps to cater for 100-year ARI storm event. Cost \$1.54M
3. Construct new pipe and outlet to cater for 100-year ARI storm event. Cost \$1.91M
4. Install two new pumps and additional underground detention storage to cater for 20-year ARI storm event. Cost \$1.02M
5. Install three new pumps to cater for 20-year ARI storm event. Cost \$1.24M
6. Construct new pipe and outlet to cater for 100-year ARI storm event. Cost \$1.27M
7. Voluntary acquisition of affected properties. Cost subject to market value

Council was unable to commit funding for any of the above upgrade options due to other priorities for the repair of failed stormwater infrastructure within the Delivery Program. The feasibility of these options was also a concern based on a comparison of benefit to cost.

In 2014, Council installed an alarm system to alert staff whenever flooding occurred, enabling faster response times for intervention. Following the alarm installation, Council's staff attended 14 on-road flooding events over an 18-month period.

In August 2015, discussions commenced with the property owners at No. 12 Coogee Street in respect of the option for Council to purchase their property. An independent valuation was obtained for the property.

No further action was taken because the valuation price could not be afforded within Council's delivery program.

A copy of the valuation report has been provided to Councillors in a separate confidential memorandum.

In 2016, Council commenced upgrading the pumps in two stages:

- Stage 1 (Cost \$78k) – Installation of a dual pump arrangement. Upgrade of all valve equipment in a separate valve pit and upgrade the rising main to accept larger pump capacity. This included installation of two new larger pumps with a standby/backup arrangement in case of pump failure.
- Stage 2 (Cost \$40k) – Upgrade power supply and switching arrangement. This enabled a second stage of switching to activate two dual pumps to operate concurrently when stormwater flows exceed the capacity of the single pump.

10.5 Stormwater Drainage - Coogee Street

The upgrade was designed to utilise the maximum available capacity of the downstream stormwater system. The project was staged so that works could be managed within available operational budgets.

No recorded exceedances or call outs have occurred in the past 18 months since the completion of Stage 2. This improved level of performance is continuing to be monitored.

The pump upgrade projects proposed in the option study aim to achieve a design to accommodate a 100 year event.

The installed upgrade only responds to a significantly lower design storm, however based on the monitoring period since installation, the upgrade has addressed the problem of the frequent inundation of the yard and garage area of the affected property.

Sustainability Considerations

- **Environment**
Not Applicable
- **Social**
This drainage issue was causing impact on a private property.
- **Economic**
Council needs to consider the feasibility of options to address this issue.

Legal / Resource / Financial Implications

The pump station upgrade and ongoing monitoring have provided a cost-effective solution.

Should circumstances change, then property acquisition or further engineering solutions would be needed, albeit the cost may remain difficult to justify alongside other priorities in the Delivery Program.

The Council's stormwater program is reproduced as follows below and as per this program, the annual budget for stormwater improvements is \$765,000 for this year, and rises in increments each year with \$847,000 programmed to be available in four years.

Each year the program includes a number of individual, prioritised projects to ensure progress is made in as many areas as possible.

The funds required for the property acquisition or further engineering solutions to respond to the concerns for the Coogee Street property would require the deferral of at least one full year of the program, and possibly two years, unless an alternative funding option was determined.

10.5 Stormwater Drainage - Coogee Street

| Description | 2019/20 (\$) | 2020/21 (\$) | 2021/22 (\$) | 2022/23 (\$) |
|---|-----------------|-----------------|-----------------|-----------------|
| Stormwater | 765,000 | 806,000 | 826,000 | 847,000 |
| Urban Lanes | 24,000 | 25,000 | 26,000 | 27,000 |
| Kerr Street (Tamar Street to Richmond River), Ballina | 90,000 | | | 94,000 |
| Urban Stormwater Management Plan | 24,000 | 25,000 | 25,000 | 25,000 |
| Asset Data Collection | 63,000 | 64,000 | 65,000 | 66,000 |
| Tide Gates to Urban Streets | 53,000 | 53,000 | 55,000 | 55,000 |
| Tanamera Drive, Alstonville | 40,000 | 18,000 | 18,000 | 13,000 |
| Alison Avenue, Lennox Head (re-lining) | | | 90,000 | 90,000 |
| Moon Street (Tamar Street to Holden Lane), Ballina | 80,000 | | | |
| Henry Philp Avenue, Ballina | 50,000 | | | |
| Rutherford Street and Tresise Place, Lennox Head | 132,000 | | | |
| Martin Street (River Street to Richmond River), Ballina | 90,000 | | | |
| Williams Reserve, Lennox Head | | 40,000 | | |
| Compton Drive, Ballina | 72,000 | | | |
| Bangalow Road (Moon Street Intersection), Ballina | 47,000 | | | |
| Fox Street, Ballina | | 70,000 | | |
| Owen Street, Ballina | | | 85,000 | |
| Grant Street, Ballina | | 60,000 | | 70,000 |
| Temple Street, Ballina | | 120,000 | | |
| Martin Street, Ballina | | 200,000 | | 87,000 |
| Hickey Street, Ballina | | 131,000 | 40,000 | |
| Oakland Avenue, Ballina | | | 62,000 | |
| Riverside Drive (Quays Drive - Oakland), Ballina | | | 60,000 | 70,000 |
| Kingsford Smith Drive, Ballina | | | 90,000 | |
| River Street, Ballina | | | 50,000 | |
| Moon Street, Ballina | | | 100,000 | |
| Survey Street and Broлга Place, Lennox Head | | | 60,000 | |
| Cherry Street, Ballina | | | | 90,000 |
| Lems Lane and Cliff Murray Lane, Lennox Head | | | | 90,000 |
| Tamar Street, Ballina | | | | 70,000 |

Consultation

Council has been in communication with the owners of the affected property at various times since 2010. A copy of this report has been sent to the owners.

Options

The performance of the Coogee Street pump station over the past 18 months has improved substantially, with no further flood events recorded. The cost for further engineering or property acquisition is significant.

This makes any further upgrades or property acquisition difficult to justify at this time.

On this basis, the recommended approach is to continue monitoring the situation until such time as circumstances change.

10.5 Stormwater Drainage - Coogee Street

If the Council was inclined to consider property acquisition or further investment in engineering, a further report looking at the funding options would be recommended as the budget for the stormwater program is not able to accommodate these works in the short or long term.

RECOMMENDATIONS

1. That in respect to the Coogee Street Stormwater Drainage System, Council notes monitoring the performance of the existing upgraded pump station will continue, with there having been a significant improvement in performance during the past 18 months as per the contents of this report.
2. That Council also notes the 2019/20 – 2022/23 Delivery Program does not include a funding allocation for further upgrades or property acquisition at this location.

Attachment(s)

1. Coogee Street plan showing low point in catchment
2. Photograph of affected Coogee Street property

11.1 Notice of Motion - Ballina Men's Shed

11. Notices of Motion

11.1 Notice of Motion - Ballina Men's Shed

Councillor

Cr Meehan

I move

1. That Council gives in-principle support to the development of the new Ballina Men's Shed at the Bicentennial Gardens road side stop area.
2. That Council commence a process to amend the reserve purpose at Bicentennial Gardens to enable the Men's Shed and develop a planning consent for its construction.

Councillor Comments

Most men have learned from our culture that they don't talk about feelings and emotions. Many do not take an interest in their own health and well-being. Unlike women, most men are reluctant to talk about their emotions and that means that they usually don't ask for help. Probably because of this, many men are less healthy than women, drink more, take more risks and suffer more from isolation, loneliness and depression. Relationship breakdown, retrenchment or early retirement from a job, loss of children following divorce, physical or mental illness are just some of the problems that men may find difficult to deal with on their own.

The Men's Shed group has become one of the most productive movements in addressing men's health and wellbeing and helping men to be valued and productive members of our community.

Good health is based on many factors including feeling good about yourself, being productive, contributing to your community, connecting with friends and maintaining an active body and mind. Men's Sheds provide a safe and busy environment where men can find many of these things in an atmosphere of old-fashioned mateship. And, importantly, there is no pressure. Men can just go and have a yarn and a cuppa if that is all they're looking for.

A site for the building of a new Ballina Men's Shed has a long history. The Men's Shed group have used a facility at Southern Cross School and now Fishery Creek Road, West Ballina. The Fishery Creek Road site, which is leased through Council, is viewed by the group as having access limitations due to no shared pathway and its somewhat isolated location. The planned development at the Ballina racecourse is no longer possible. A new site is required for the development to proceed and for the Ballina Men's Shed group to take advantage of up to half a million dollars in grant funding.

11.1 Notice of Motion - Ballina Men's Shed

Bi-Centennial Park is crown land with Council as the land manager. The area is made up of a large, cleared road side stop area adjoining Tamarind Drive and a larger vegetated park land to the north of the shared pathway that runs through the park. The road side stop area was formerly a rest area for motorists on the 'old' Pacific Highway. With the Ballina bypass and the building of the West Ballina interchange service centre, the site is no longer significant as a rest area. Its usage has dropped dramatically. An aerial image of the southern part of the Bi-Centennial Park site is shown below.



Representatives of the Ballina Men's Shed have inspected the site and have stated that it would be an ideal site for the Men's Shed. There is excellent access by road and the shared pathway, services are on the site and significantly, the open area appears to be large enough for the Men's Shed development and other uses to co-exist eg the Frisbee golf course and an ongoing road side stop capacity (if required).

The development of a Men's Shed would not impinge on the vegetated parkland area.

While Council has resolved to develop a Plan of Management for Bicentennial Gardens in future years, it is essential that Council support the Ballina Men's Shed group to develop a new facility while they have access to current grant funds. It would also be another fantastic new facility for the Ballina Shire community.

Funding for the required Council process would be from current year staffing resources.

I urge Councillors to support this concept and support the Ballina Men's Shed group in supporting our community.

Staff Comments

Without any detailed investigation undertaken to date, this site appears to be a viable option although it will most likely require the reserve purpose to be amended, as it is Crown land and the current purpose is Preservation Of Fauna/Preservation Of Native Flora.

The purpose can be amended although it is reliant on State Government approval and this could extend the timeframe for the project.

COUNCILLOR RECOMMENDATIONS

1. That Council gives in-principle support to the development of the new Ballina Men's Shed at the Bicentennial Gardens road side stop area.
2. That Council commence a process to amend the reserve purpose at Bicentennial Gardens to enable the Men's Shed and develop a planning consent for its construction.

Attachment(s)

Nil

11.2 Notice of Motion - Alstonville Bypass - Proposed New Works

11.2 Notice of Motion - Alstonville Bypass - Proposed New Works

Councillor

Cr Eoin Johnston

I move

That Council request that Roads and Maritime Services (RMS) consult with the Alstonville community before proceeding with its plan to divert all westbound local traffic through the town to connect with a proposed bypass on-ramp at Ellis Road.

Councillor Comment

The RMS has embraced the option in an attempt to improve safety at the dangerous junction of Ballina Road and the Bruxner Highway.

The effect of diverting traffic back into the residential and commercial areas will substantially undo the many years of community effort that led to the construction of the Alstonville bypass.

The proposed route would lead all westbound through traffic from Teven Road and the adjoining estates into the village, through the roundabout, past the entries to the shopping complex and onto the narrow section of Wardell Road.

I suggest there are alternative options which would provide enhanced safety at the junction without introducing a raft of further problems for the community.

COUNCILLOR RECOMMENDATION

That Council request that Roads and Maritime Services (RMS) consult with the Alstonville community before proceeding with its plan to divert all westbound local traffic through the town to connect with a proposed bypass on-ramp at Ellis Road.

Attachment(s)

Nil

11.3 Notice of Motion - Treaty on the Prohibition of Nuclear Weapons

11.3 Notice of Motion - Treaty on the Prohibition of Nuclear Weapons

Councillor

Cr Willis

I move

That Council support the Treaty on the Prohibition of Nuclear Weapons.

Councillor Comments

Council resolved in November 2017 as follows:

That Ballina Shire Council, through the Mayor, join the 'Mayors for Peace', an international organisation of cities dedicated to the promotion of peace and the abolition of nuclear weapons.

There is now a campaign underway in respect to joining a Treaty on the Prohibition of Nuclear Weapons, with further information available as per the following link:

<https://icanw.org.au/wp-content/uploads/Choosing-Humanity-ICAN-Report.pdf>

The Choosing Humanity report sets out why it is in Australia's interest to join the Treaty, documenting the public support and political momentum behind this goal.

Australia has yet to sign this landmark treaty, and support for the Treaty from local to global is more important than ever. Cities and towns have a crucial role to play in raising awareness and building support for the treaty across Australia and the world.

The Mayors for Peace councils are leading the way in Australia, with thirteen Mayor for Peace councils making up the majority of the nineteen Australian cities and local councils that have endorsed the appeal including Sydney, Canberra, Melbourne and Hobart. Please find attached a letter from Mayors for Peace in support of the Treaty.

An endorsement from Ballina Shire Council in support of the Treaty on the Prohibition of Nuclear Weapons will send a message to parliamentarians that communities across the country are calling for leadership on peace and nuclear disarmament. Further information is available at the following website.
<https://icanw.org.au/cities/>

COUNCILLOR RECOMMENDATION

That Council support the Treaty on the Prohibition of Nuclear Weapons.

Attachment(s)

1. Letter from Mayors for Peace

11.4 Notice of Motion - Essential Energy Jobs

11.4 Notice of Motion - Essential Energy Jobs

Councillor

Cr Willis

I move:

1. That Council lobby the NSW State Government to protect the 682 Essential Energy jobs set to be abolished across rural and regional NSW during the period 2019-2024.
2. That Council write to Essential Energy to request clarification as to how many of these jobs would be cut from the Ballina Shire.

Councillor Comments

While it is not immediately clear how many of the jobs set to be cut by the 100% NSW Government owned Essential Energy are in Ballina Shire, it is clear that Essential Energy operates within our Shire.

It is incumbent upon Council as representatives of our community to speak up when jobs are on the line. Job cuts hurt local communities. Job cuts put workers and their families under unnecessary emotional and financial hardship.

It is a matter of public record that since 2015 over 2,000 jobs have been abolished by Essential Energy.

COUNCILLOR RECOMMENDATIONS

1. That Council lobby the NSW State Government to protect the 682 Essential Energy jobs set to be abolished across rural and regional NSW during the period 2019-2024.
2. That Council write to Essential Energy to request clarification as to how many of these jobs would be cut from the Ballina Shire.

Attachment(s)

Nil

11.5 Notice of Motion - Electricity Costs

11.5 Notice of Motion - Electricity Costs

Councillor

Cr Jeff Johnson

I move

That Council receive a report on options and funding strategies to reduce the amount of lighting and associated electricity used at night by Council buildings and essential infrastructure.

Councillor Comments

As I drive around our Shire at night I notice many of our Council buildings and facilities have the lights left on all night. Examples include the Council administration building and the Ballina Heights sports fields change rooms.

I understand there may be good reasons for lighting such as security and to prevent vandalism however I'm sure there are many examples of areas where there are low cost solutions that will save the Council (ratepayers) a significant amount over time.

Furthermore, electricity usage at night is supplied by coal-fired power from the Hunter Valley, so removing unnecessary electricity usage not only saves money on electricity costs (and equipment) it reduces Council's overall carbon footprint.

COUNCILLOR RECOMMENDATION

That Council receive a report on options and funding strategies to reduce the amount of lighting and associated electricity used at night by Council buildings and essential infrastructure.

Attachment(s)

Nil

12. Advisory Committee Minutes

12. Advisory Committee Minutes

Nil Items

13.1 General Manager - Performance Review

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

13.1 General Manager - Performance Review

Councillor David Wright, Sharon Parry, Nathan Willis and Ben Smith

The General Manager's Performance Review Committee (PRC) comprises the Mayor, Deputy Mayor, Cr Smith and Cr Parry.

The PRC met with the General Manager on Wednesday 7 August 2019 to perform the review for the 2018/19 financial year.

The purpose of this report is to provide a brief outline of the General Manager's performance review process for 2018/19, with the results of that review included in a confidential report later in this agenda.

Key Issues

- Compliance with the General Manager's contract conditions

Information

Council is legally obliged to fulfil its contractual obligations with the General Manager. This includes a 12 monthly appraisal.

Council has a number of options in managing the performance review process.

Some councils use the whole council to conduct the review while other councils vary this from the Mayor only to any sub-component of the elected council.

The Council and/or General Manager also have the option of utilising an external consultant to assist the process.

The outcomes of the review can be reported to a Council meeting for endorsements or the review outcomes can remain as a matter between the General Manager and the councillors / consultant undertaking the review.

Many of these options have been trialled by Council and in recent years the process has been to use a small committee (eg. Mayor and Deputy Mayor as the PRC), with the recommendations from that committee then presented to the full Council for determination.

At the September 2017 Ordinary meeting Council resolved to expand the PRC to include four councillors (Mayor, Deputy Mayor, Cr Smith and Cr Parry) and to use an external facilitator, being LGNSW for the 2017/18 review.

Once Council endorsed the 2017/18 review at the August 2018 Ordinary meeting, the resolution recommended that the PRC only use an external facilitator, such as LGNSW, for the initial review of the Council term.

13.1 General Manager - Performance Review

The four Councillors on the PRC, including Cr Willis as Deputy Mayor, conducted the 2018/19 performance review on Wednesday 7 August 2019 and the recommendation from the PRC is included as a confidential report in this agenda.

Consultation

The Office of Local Government (OLG) has produced guidelines for the management of General Managers and a copy of that document is available on their website (olg.nsw.gov.au – “Guidelines for the Appointment and Oversight of General Managers”). That document provides useful background material in respect to the annual review process.

The results of the 2018/19 performance review are listed as confidential as they involve personnel matters.

Options

The primary purpose of this report is to provide an overview of the performance review process for the position of General Manager.

The confidential report later in this agenda provides the recommended outcomes from the 2018/19 review, along with the agreed performance criteria for 2019/20.

The recommendation is for noting only.

The only other options that Council could consider is changing the membership of the PRC or the review process. No change is recommended as the existing process provides accountability and a reasonable level of transparency.

RECOMMENDATION

That Council notes the contents of this report in respect to the annual performance review process for the position of General Manager.

Attachment(s)

Nil

13.2 Mayoral Meetings

13.2 Mayoral Meetings

Councillor David Wright

Activities I have attended, or propose to attend, as at the time of writing this report, since the July 2019 Ordinary meeting are as follows:

| <u>Date</u> | <u>Function</u> |
|--------------------|---|
| 22/7/19 | Meeting – Men’s Shed |
| 26/7/19 | Presentation of Historical Artefacts – Ignite - Gallery |
| 26/7/19 | Meeting – Visitor Information Launch |
| 2/8/19 | Meeting – Tim Costello |
| 4/8/19 | Commemoration Park Market |
| 5/8/19 | Launch – Northern Rivers Visitor Guide |
| 6/8/19 | Alstonville / Wollongbar Business Chamber AGM |
| 6/8/19 | Meeting – Tennis NSW, Meeting – Jim Taylor re Ferry Fees for Retirees |
| 6/8/19 | Meeting – Wardell Recreation and Sports Club – Rates |
| 6/8/19 | Traffic Management – Future Strategies |
| 7/8/19 | General Manager’s Performance Review, Ballina Art Advisory Meeting |
| 7/8/19 | Northern Rivers NSW Business Networking – Airport |
| 8/8/19 | The Family Centre Information Conference – Kentwell Centre |
| 10/8/19 | Wardell School Fete, BACCI Arts and Craft |
| 11/8/19 | Commemoration Park Markets |
| 11/8/19 | Lennox Head Markets, Scope Club of Ballina Changeover |
| 11/8/19 | Aureus - Launch |
| 12/8/19 | Church Group, Plateau Drive Inspection |
| 13/8/19 | Public Citizenship Ceremony |
| 13/8/19 | Meeting – Jeremy Cape - Vision for Ballina |
| 14/8/19 | Local Traffic Committee |
| 14/8/19 | Meeting – Jamie Hoile – Cemetery Matters |
| 15/8/19 | Ballina Wellness Centre First Birthday |
| 16/8/19 | NRJO – Mayors Mullumbimby, NRJO – Mullumbimby |
| 18/8/19 | Ballina Markets and Commemoration Park Markets |
| 18/8/19 | Riding for the Disabled – 40 th Birthday |
| 18/8/19 | Vietnam Veterans Day Celebration Wreath Laying |
| 20/8/19 | Meeting – Mojo Surf, Club Grants Presentation – RSL |
| 21/8/19 | Wardell Progress Association AGM |
| 22/8/19 | Council Meeting |
| 23/8/19 | Visit - St Francis Xavier Catholic Primary School |
| 24/8/19 | Open Day - DPI Wollongbar, Quota Fair |
| 24/8/19 | Australian Bravery Association – Service of Remembrance |
| 24/8/19 | Australian Bravery Association – Mayoral Reception |
| 25/8/19 | Commemoration Park Markets |
| 25/8/19 | Dragon Boat Regatta |
| 29/8/19 | Gallery Opening |

RECOMMENDATION

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

Attachment(s)

Nil

14. Confidential Session

In accordance with Section 9 (2A) of the Local Government Act 1993, the General Manager is of the opinion that the matters included in the Confidential Business Paper, and detailed below are likely to be considered when the meeting is closed to the public.

Section 10A(4) of the Local Government Act, 1993 provides that members of the public are allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

A brief summary of each of the reports recommended for consideration in confidential session follows:

14.1 General Manager - Performance Review (confidential)

Refer to Item 13.1 of this agenda.

RECOMMENDATION

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

14.1 General Manager - Performance Review (confidential)

Reason for Confidentiality

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

- a) personnel matters concerning particular individuals (other than councillors)

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 information in respect to Council staff.