

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/02/19 AT 9.00 AM**

Attendance

Crs David Wright (Mayor - in the chair), Phillip Meehan, Sharon Parry (arrived at 9.04 am), Jeff Johnson, Eoin Johnston, Stephen McCarthy, Nathan Willis, Sharon Cadwallader and Ben Smith.

Paul Hickey (General Manager), John Truman (Group Manager - Civil Services), Matthew Wood (Group Manager - Development and Environmental Health) and Sandra Bailey (Secretary) were in attendance.

There were 18 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Councillors and staff.

2. Acknowledgement of Country

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

3. Apologies

An apology was received from Cr Keith Williams.

Cr Parry arrived at the meeting at 9.04 am.

280219/1 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

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4. Confirmation of Minutes

280219/2 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 24 January 2019.
2. That the minutes of the Ordinary meeting of Ballina Shire Council held on Thursday 22 November 2018 be amended to record the correct voting on Item 13.2 – Notice of Motion – Use of Council Facilities, as follows:

Voting on the Amendment –

FOR VOTE - Cr David Wright, Cr Phillip Meehan and Cr Jeff Johnson

AGAINST VOTE - Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Ben Smith

Voting on the Motion –

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

AGAINST VOTE - Cr Phillip Meehan and Cr Jeff Johnson

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Ben Smith

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

5. Declarations of Interest and Reportable Political Donations

Nil

There were no reportable political donations.

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6. Deputations

- **Doug Lipscombe** – spoke in opposition to Item 13.4 – Notice of Motion – Plateau Skatepark.
- **Erin Abbott** – spoke in favour of Item 13.4 – Notice of Motion – Plateau Skatepark.
- **Chris Mills** – spoke in favour of Item 13.6 – Notice of Motion – Voucher for Waste Management Centre.
- **Graham Shaw** – spoke in favour of Item 13.2 – Notice of Motion – Sharpes Beach Master Plan.
- **Tyrone McGillick** – spoke in favour of Item 13.3 – Notice of Motion – Boral Plant, Gap Road Alstonville.
- **Ralph Mamone** – spoke in opposition to Item 10.9 – Financial Review – 31 December 2018 and in particular to the matter listed under “Property Management” – lease income for Shellys on the Beach.

7. Mayoral Minutes

Nil items.

13.4 Notice of Motion - Plateau Skatepark

A **Motion** was moved by Cr Jeff Johnson and seconded by Cr Sharon Parry

1. That Council authorises the General Manager to prepare the documents necessary for the lodgment of a development application for the construction of a new skatepark on the Council owned land at Plateau Drive, Wollongbar.
2. The development application is to include an embellishment plan for this Council land, which has been identified in Council’s strategic planning documents as a district park.
3. That as part of the preparation of the 2019/20 Operational Plan Council receive a report on how the embellishments identified can be funded in the short to medium term (i.e. up to four years).

An **Amendment** was moved by Cr Sharon Cadwallader and seconded by Cr Nathan Willis

That this matter be deferred to the March 2019 Ordinary meeting when the staff report has been completed.

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

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

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

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

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

280219/3 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That this matter be deferred to the March 2019 Ordinary meeting when the staff report has been completed.

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

13.6 Notice of Motion - Voucher for Waste Management Centre

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

1. That as part of the 2019/2020 Operational Plan and Delivery Program, Council receives a report on developing a system to provide kerbside pickup or one free drop off to the Ballina Waste Facility, to each residence, during the rating year.
2. The free drop off service will have reasonable limits on weight, volume and the type of materials to be accepted.

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

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

280219/4 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

1. That Council develop an overall illegal dumping strategy that provides overall social and environmental benefits for the entire community.
2. That Council promotes the free options available for residents to recycle/dispose of bulky goods, such as Freecycle and provide a link to these on our website.

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

Adjournment

The Mayor declared the meeting adjourned at 10.55 am

The meeting resumed at 11.16 am

13.2 Notice of Motion - Sharpes Beach Master Plan

280219/5 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

That Council receive, as part of the Delivery Program (Finance Committee) meetings for the preparation of the 2019/20 Operational Plan, a report on a funding strategy to implement the improvements identified in the Sharpes Beach Master Plan (ie. car parking, landscaping etc), including the provision of public toilets.

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

13.3 Notice of Motion - Boral Plant, Gap Road Alstonville

A **Motion** was moved by Cr Eoin Johnston and seconded by Cr Sharon Parry

1. With respect to the uncertainty and conflict of views surrounding the effects, if any, that noise and air pollutants, emanating from the Boral hot mix plant on Gap Road, Alstonville, may have on surrounding residential properties, that Council take immediate action to obtain accurate and impartial data.
2. An introduction to this procedure will require Council writing to the Environmental Protection Authority (the EPA) and the NSW Minister for the Environment to seek explanatory information and, in particular, canvass the possibility of the EPA undertaking detailed and accurate emissions testing over a period of operational days and nights in a variety of residential sites and diverse weather conditions.
3. Such correspondence should also seek clarification about Boral's response to a prevention notice issued by the EPA in May 2018 that required Boral to prepare a new bitumen odour management plan.

An **Amendment** was moved by Cr Nathan Willis and seconded by Cr Jeff Johnson

1. That Council acknowledge the concerns of residents.

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2. That Council engage an independent contractor to obtain accurate and impartial data on noise and air pollutants with information to be forwarded to the EPA with funds not to exceed income received from Boral for the leasing of the plant.

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

FOR VOTE - Cr Phillip Meehan, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Nathan Willis

AGAINST VOTE - Cr David Wright, Cr Sharon Parry, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

The **Amendment** then became the **Motion**.

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Nathan Willis

1. With respect to the uncertainty and conflict of views surrounding the effects, if any, that noise and air pollutants, emanating from the Boral hot mix plant on Gap Road, Alstonville, may have on surrounding residential properties, that Council take immediate action to obtain accurate and impartial data.
2. That Council acknowledge the concerns of residents.
3. That Council engage an independent contractor to obtain accurate and impartial data on noise and air pollutants with information to be forwarded to the EPA with funds not to exceed income received from Boral for the leasing of the plant.

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

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston and Cr Nathan Willis

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

A **Motion** was moved by Cr Nathan Willis

That the motion be put to the vote.

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

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Nathan Willis

AGAINST VOTE - Cr Phillip Meehan, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

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The **Substantive Motion** was **LOST**

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston and Cr Nathan Willis

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Jeff Johnson

That Council convene a meeting with Boral to determine an exit strategy and/or options to improve the current operating conditions to the benefit of local residents.

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Sharon Parry

That Council convene a meeting with Boral to determine an exit strategy at the end of their 2019 lease option.

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

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson and Cr Nathan Willis

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

ABSENT. DID NOT VOTE - Cr Keith Williams

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

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

280219/6 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

That Council convene a meeting with Boral to determine an exit strategy and/or options to improve the current operating conditions to the benefit of local residents.

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

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10.9 Financial Review - 31 December 2018

280219/7 RESOLVED

(Cr Nathan Willis/Cr Ben Smith)

1. That Council notes the contents of the December 2018 Quarterly Budget Review and approves the changes identified within this report.
2. That Council notes the contents of this report in relation to the eRates competition and:
 - a) approves an eRates competition to be conducted on behalf of Council, with a winner Prize of \$1,000 credit to the 2019/20 rates and charges
 - b) approves the proposed promotional activities to be undertaken as outlined in this report and
 - c) approves the competition terms and conditions as outlined in this report.

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

12. Public Question Time

12.1 Burns Point Ferry - Maintenance Slip

David Felsch – what is Plan B should the slip at Swan Bay fall over and the ferry can't be slipped for maintenance at its scheduled time?

John Truman – I will have to take the question on notice.

David Felsch – is the ferry going to be slipped for one, two, three or four weeks this year?

John Truman – we haven't made any announcements about the ferry slip yet. The slip last time took a lot longer and that was because there was a greater time period between slips. The intention is to go back to the previous slip timeframe.

David Felsch – is there a Plan B if we can't go to Swan Bay?

John Truman – I will have to take the question on notice.

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12.2 Deadmans Creek Road/Summerhill Crescent Intersection

John Bout – what is the right of residents to take issue with an agenda that has incorrect statements in it which was referred to the Local Traffic Committee (LTC)?

Paul Hickey advised that if he believed there are errors in the he can email or call Councillors or staff.

John Bout – of the attendees at the LTC meeting, the RMS attendee was absent – can you tell me the competency of the attendees to make a decision?

John Truman – the LTC comprises Council representatives, the local member, Police and RMS. All four were present at that meeting, John Truman was absent for that item. The LTC makes recommendations.

John Bout - Has anyone on the LTC done a driver competency course? Do you follow the Local Government Guidelines for risk assessment?

Paul Hickey – yes and we get audited by our Insurer Statewide every year to look at where we can improve.

John Truman – there are guidelines determined by the RMS in respect to the operation of the LTC and it does not have any requirement that members have done a driver competency course.

Cr Jeff Johnson left the meeting at 01:05 pm.

Adjournment

The Mayor declared the meeting adjourned at 1.06 pm

The meeting resumed at 1.45 pm

(Cr Sharon Parry and Cr Jeff Johnson were not in attendance at this stage).

8. Development and Environmental Health Group Reports

8.1 Development Applications - Works in Progress - February 2019

280219/8 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE – Cr Sharon Parry, Cr Jeff Johnson and Cr Keith Williams

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9. Strategic and Community Facilities Group Reports

9.1 LEP Amendments and Planning Proposals - Status

280219/9 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of this report concerning the status and approach regarding the current LEP amendment requests and planning proposals that are being processed.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry, Cr Jeff Johnson and Cr Keith Williams

10. General Manager's Group Reports

10.1 Investment Summary - January 2019

280219/10 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

Cr Sharon Parry returned to the meeting at 01:48 pm.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Keith Williams

Cr Jeff Johnson returned to the meeting at 01:49 pm.

10.2 Policy (Review) - Investments Policy

280219/11 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council adopts the Investments Policy, as attached to this report.
2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

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10.3 Australia Day 2019 - Review

280219/12 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

That this matter be deferred to a Councillor briefing to discuss Award categories, format of the ceremony etc.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

10.4 Flat Rock Tent Park - Adoption of Fees and Charges 2019/20

280219/13 RESOLVED

(Cr Ben Smith/Cr Sharon Parry)

That Council adopts the draft Flat Rock Tent Park fees and associated notes, as exhibited for 2019/20.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

10.5 Donations - Community

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Jeff Johnson

That Council approves the donation for \$2,000 to the Lismore Symphony Orchestra for use of the Lennox Head Community Centre.

An **Amendment** was moved by Cr Sharon Parry and seconded by Cr Jeff Johnson

That Council approves the donation for \$3,090 to the Lismore Symphony Orchestra for use of the Lennox Head Community Centre.

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

FOR VOTE - Cr Sharon Parry and Cr Jeff Johnson

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Keith Williams

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams

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280219/14 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

That Council approves the donation for \$2,000 to the Lismore Symphony Orchestra for use of the Lennox Head Community Centre.

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

10.6 Crown Reserves Improvement Fund 2019/20 - Priorities

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Ben Smith

1. That Council confirms the priority projects for the Crown Reserves Improvement Fund Program for 2019/20 are as follows:

Ref	Project	(\$'000)
1	Riverview Park playground installation	95
2	Shaws Bay CZMP action plan	150
3	Hampton Park – car park detailed design and construction	400
4	Pop Denison Playground Master Plan stage two	250
5	Williams Reserve weed control	20
6	Compton Drive fencing	30

2. That Council investigate whether Council meets the criteria to apply for funding to prepare the Williams Reserve Vegetation Management Plan.

An **Amendment** was moved by Cr Phillip Meehan

1. That Council confirms the priority projects for the Crown Reserves Improvement Fund Program for 2019/20 are as follows:

Ref	Project	(\$'000)
1	Riverview Park playground installation	95
2	Shaws Bay CZMP action plan	150
3	Hampton Park – Update Hampton Park Plan of Management	40
4	Pop Denison Playground Master Plan stage two	250
5	Williams Reserve weed control	20
6	Compton Drive fencing	30

2. That Council investigate whether Council meets the criteria to apply for funding to prepare the Williams Reserve Vegetation Management Plan.

The **Amendment LAPSED.**

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

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

10.7 Deadmans Creek Road, Cumbalum - Service Levels

280219/15 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council notes that the current street lighting program does not include the provision of street lighting for the intersection of Deadmans Creek Road and Tamarind Drive, with the program due for review within the next two years.
2. That Council notes that the existing maintenance program for the Deadmans Creek Road / Summerhill Crescent intersection is deemed cost effective and reasonable based on available Council resources.
3. That Council notes that NSW Police enforcement is the preferred action to mitigate speeding drivers on Deadmans Creek Road.
4. That Council write to the Minister for Roads expressing our frustration with the lack of a reasonable response from the RMS in respect to mitigating the flood impacts on the Ballina Heights / Tamarind Drive roundabout, with Council seeking an urgent meeting with the Minister to determine how the flood impacts are to be rectified and funded.
5. That Council use the upcoming elections (State and Federal) for opportunities to seek a commitment from Government to build a south bound entry and exit to the Pacific Motorway at Cumbalum.

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

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13.5 Notice of Motion - Electric Vehicles

280219/16 RESOLVED

(Cr Jeff Johnson/Cr Ben Smith)

1. That as part of the 2019/20 Operational Plan Council receive a report on the preferred option to introduce one or more electric vehicles into the Council fleet, with that report to also outline the estimated environmental benefits.
2. That Council considers setting aside 1 or 2 dedicated EV parking spots at the Council's Cherry Street administration building with associated EV charging capability.

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

Cr Jeff Johnson left the meeting at 02:57 pm.

10.8 Legal Matters - Update

280219/17 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of the legal matters – update report.

Cr Phillip Meehan left the meeting at 02:58 pm.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Jeff Johnson and Cr Keith Williams

11. Civil Services Group Reports

11.1 Lennox Head Car Parking Contributions Plan

280219/18 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council, allocate the remaining 11.37 spaces under the Lennox Head Car Parking Contributions Plan to the recent pre-lodgement development proposal as the proposed application is consistent with the existing plan and there is no practical way to allocate the spaces when Council is not currently aware of any other proposals, or when further proposals may come forward.

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2. That Council amend the Ballina Shire Car Parking Contribution Plan as required to close the Car Parking Contributions Plan for the Lennox Head Village Centre.
3. That Council amend the Ballina Shire Development Control Plan 2012 to remove reference to use of the Contributions Plan for car parking in Lennox Head Village Centre.
4. That car parking spaces allocated under the Contributions Plan for Lennox Head Village Centre that are not subsequently utilised will become re-available for use under Voluntary Planning Agreement (VPA) arrangements if any are offered to Council.

Cr Phillip Meehan returned to the meeting at 03:00 pm.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Keith Williams

11.2 Tender - Ballina Island and West Ballina Flood Study

280219/19 RESOLVED

(Cr Nathan Willis/Cr Ben Smith)

1. That Council, in accordance with the *Local Government (General) Regulation 2005 Section 178 (1)(b)*, declines to accept any tenders for the *Ballina Island and West Ballina Overland Flood Study and Flood Protection Feasibility Study and Plan*.
2. That Council, in accordance with the *Local Government (General) Regulation 2005 Section 178 (3)(e)* authorises the General Manager to enter into negotiations with GHD Services and WMA Water with a view to entering into a contract with one of these consultants.
3. That in accordance with the *Local Government (General) Regulation 2005 Section 178(4)(a)* the Council records the following reasons for declining to invite fresh tenders:
 - the previous call for tenders was completed only recently
 - as reported, a contract was not able to be executed with the service provider first assessed as the preferred tenderer
 - a strong market response was received for the original
 - the project work requires specialist consulting services
 - retendering exposes Council and the market to unnecessary cost and inconvenience
 - pricing and other terms are expected to remain very similar to the original submissions
 - it is expected Council will be able to execute a contract on terms generally very consistent with the original tenders
 - the preferred tenders have submitted pricing that is below the budget estimate for the project

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- it is unlikely retendering would result in a better advantage for Council.
4. That in accordance with the *Local Government (General) Regulation 2005 Section 178(4)(b)* the Council records it has determined to enter negotiations with GHD Services and WMA Water as they are the preferred tenderers following assessment against the mandatory and weighted evaluation criteria established for this tender, as per the confidential information provided to Councillors.
 5. That, upon the conclusion of any successful negotiations, Council authorises the General Manager to execute and affix the Council seal to the relevant contract documents.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Keith Williams

11.3 Policy (Review) - Donations - Waste Disposal Fees for Certain Fauna

280219/20 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council adopts the amended Donations – Waste Disposal Fees for the “Not-for-Profit Disposal of Feral, Orphaned Animals and Native Fauna” Policy, as attached to this report.
2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Keith Williams

13. Notices of Motion

13.1 Notice of Motion - Crown Lands Management Act 2018

280219/21 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council write to the State Government and LGNSW expressing our concern that the new Crown Lands Management Act 2018 is creating significant impediments for councils to undertake routine works and provide straightforward tenure agreements to community based groups.
2. That as part of this correspondence Council ask that a review of the existing legislation be undertaken as a matter of urgency with that review to identify how the legislation can be amended to remove the difficulties that are now facing councils in undertaking works and providing lease arrangements on crown reserves.

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

14. Advisory Committee Minutes

Nil Items

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

15.1 Mayoral Meetings

280219/22 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

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

MEETING CLOSURE

3.20 pm

The Minutes of the Ordinary Meeting held on 28/02/19 were submitted for confirmation by council on 28 March 2019 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 28 March 2019.