

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 17/12/20 AT 9.00 AM**

Attendance

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

Paul Hickey (General Manager), John Truman (Director, Civil Services Division), Matthew Wood (Director, Planning and Environmental Health Division), Kelly Brown (Director, Corporate and Community Division) and Sandra Bailey (Secretary) were in attendance.

There were three people in the gallery at this time.

1. Australian National Anthem

The National Anthem was played.

2. Acknowledgement of Country

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

3. Apologies

An apology was received from Cr Nathan Willis.

171220/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

4. Confirmation of Minutes

171220/2 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 26 November 2020.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

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5. Declarations of Interest and Reportable Political Donations

Matthew Wood, Director Planning and Environmental Health – declared an interest in Item 12.1 – Commercial Services Committee Minutes – 8 December 2020, and in particular to Item 4.1 – Wollongbar Urban Expansion Area – Stage Three Development. (Nature of Interest: non significant, non pecuniary – a family friend has expressed an interest in the purchase of the potential child care site). He will be departing the meeting while the matter is discussed.

Cr Ben Smith later in the meeting - declared an interest in Item 12.1 – Commercial Services Committee Minutes – 8 December 2020, and in particular to Item 4.1 – Wollongbar Urban Expansion Area – Stage Three Development. (Nature of Interest: non significant, non pecuniary – a family property trust has an interest in one of the lots proposed to be developed). He will be remaining in the meeting while the matter is discussed and voting on the matter.

There were no reportable political donations.

6. Deputations

- **Jennifer Derricott** – spoke in opposition to Item 8.2 – Dog Management – Lennox Head Surf Club Reserve.
- **Benn Lane** – spoke in favour of Item 8.1 – DA 2020/292 – 180-190 North Creek Road, Lennox Head.
- **Bianca Urbina, Water Northern Rivers Alliance (via Zoom)** – spoke in favour of Item 11.1 – Notice of Motion – Rous County Council – Future Water Project.

7. Mayoral Minutes

Nil items.

8. Planning and Environmental Health Division Reports

8.2 Dog Management - Lennox Head Surf Club Reserve

171220/3 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council adopt Option 2 as per Figure 2 in the report.
2. That Council commence the review of Companion Animals Management Plan within the first quarter of 2021.
3. That Council continue to undertake community education and compliance action regarding dog related matters in this reserve area.
4. That Council endeavour to enact the changes before Christmas.

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

AGAINST VOTE - Cr Sharon Parry

ABSENT. DID NOT VOTE - Cr Nathan Willis

8.1 DA 2020/292 - 180-190 North Creek Road, Lennox Head

171220/4 RESOLVED

(Cr Eoin Johnston/Cr Ben Smith)

That DA 2020/292 for a Staged Subdivision of Land involving the creation of 12 Torrens Title lots, road and infrastructure servicing, bulk earthworks, retaining walls and vegetation removal on land at 180-190 North Creek Road Lennox Head be **APPROVED** subject to the application of standard planning, building and engineering conditions and specific conditions identified within this report.

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Keith Williams and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson and Cr Sharon Cadwallader

ABSENT. DID NOT VOTE - Cr Nathan Willis

11. Notices of Motion

11.1 Notice of Motion - Rous County Council - Future Water Project

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

That Council call on Rous County Council to invite a range of water experts to our region (from the private sector, government and the university sector) to hold public meetings and workshops to outline alternative options to the Dunoon Dam to secure our long term water supply.

The **Motion** 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 Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Nathan Willis

Adjournment

The Mayor declared the meeting adjourned at 10.50 am

The meeting resumed at 11.11 am

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11.1 Notice of Motion - Rous County Council - Future Water Project

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

That Ballina Shire Council send a clear message to Rous County Council that they have major concerns about a secure water strategy for the region and therefore ask that Rous County Council continue with further investigations as to the viability of the Dunoon Dam proposal. The groundwater on the Alstonville Plateau has many demands on it and should not be relied upon as a major source of supply.

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

FOR VOTE - Cr Phillip Meehan, Cr Eoin Johnston, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Stephen McCarthy and Cr Keith Williams

ABSENT. DID NOT VOTE - Cr Nathan Willis

8.3 Festival and Events Sponsorship Program - 2021/22

171220/5 RESOLVED

(Cr Phillip Meehan/Cr Ben Smith)

That Council approves the following funding allocations for the 2021/22 Festival and Events Sponsorship Program.

Name of organisation	Name of Event	2021/22 Request	Option One
Lennox Head Chamber of Commerce	Love Lennox Festival 2022	20,000	20,000
Le Ba Boardriders	Skullcandy Oz Grom Open 2021	25,000	25,000
Quota International Alstonville/Wollongbar	Craft & Garden Fair 2021	8,000	8,000
Alstonville Agricultural Society	New Year's Eve Family Festival	20,000	20,000
Truckstop Sk8	Fair Go Skatefest 2020	9,000	(*4,000) 5,000
Alstonville Rotary Club	Northern Rivers Green Living Expo	50,750	25,000
Ballina's Festival of the Arts	Ballinale	19,700	8,500
Sand Events Pty Ltd	Live at the Smokehouse	25,000	8,500
TOTAL		177,450	120,000

* Amount from Fair Go Skate annual budget

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

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8.4 Land Classification - Western Side of Hutley Drive Extension

171220/6 RESOLVED

(Cr Phillip Meehan/Cr Ben Smith)

That Council receive a briefing on options for the future use of the part of Lot 2 DP 620838 (9 Byron Bay Road) Lennox Head that is located on the western side of the Hutley Drive North extension.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

8.5 Land Classification - Lot 160 DP 1261459, Carroll Avenue

171220/7 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council classifies the land identified as Lot 160 DP 1261459, being land located on the western side of Carroll Avenue, Skennars Head, as operational land under the provisions of the Local Government Act 1993 and that this classification takes effect immediately.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

8.6 Development Applications - Works in Progress - December 2020

171220/8 RESOLVED

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council notes the contents of the report on the status of outstanding development applications for December 2020.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

9. Corporate and Community Division Reports

9.1 Use of Council Seal

171220/9 RESOLVED

(Cr Stephen McCarthy/Cr Keith Williams)

That Council affix the Common Seal to the following documents.

US/25	Ballina Shire Council lease to Y & T Ebihara for Shop 11 Wigmore Arcade Ballina for a period of two years with a one year option at market rent + outgoings + GST.
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US/26	Council, as Crown Land Manager ('CLM') for the Captain Cook Park and RSL Memorial Park (R71612) 12 month short-term licence between Council as CLM (R71612) and the Country Women's Association of New South Wales Incorporated for Lot 8 Section 5A in DP 758047 (River Street, Ballina), at a statutory minimum rental, commencing 1 January 2021 to 31 December 2021.
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FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

9.2 Investment Summary - November 2020

171220/10 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the record of banking and investments for November 2020.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

9.3 Long Serving Employees - Recognition

171220/11 RESOLVED

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council acknowledges, congratulates and thanks the staff members outlined in this report on their service for Council and the community.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

9.4 Financial Assistance - Council Fees and Community Donation

171220/12 RESOLVED

(Cr Eoin Johnston/Cr Sharon Parry)

1. That Council approves the reimbursement of \$1,272 in fees paid by the Alstonville Wollongbar Rural Fire Brigade for development consent 2020/703.

2. That Council approves the request from the Ballina Sub-Section Naval Association of Australia (Ballina Naval and Maritime Museum) for a community donation of \$1,000 for the purchase of VC memorial tribute frame.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

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9.5 Local Roads and Community Infrastructure Program - Extra Funding

171220/13 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Council approves the inclusion of the following projects for funding through the extension to the Local Roads and Community Infrastructure Program:

Projects	Allocation \$)
1. Lanes - Amenity Upgrade	226,000
2. Road Reconstruction – Eltham Road	186,000
3. Sporting Facilities – Maintenance / Improvements	261,000
4. Community Halls / Facilities – Maintenance / Improvements	157,000
5. Amenities / Open Space Buildings – Maintenance / Improvements	90,000
6. Pat Morton Car Park (reversal)	(40,000)
Total	880,000

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

10. Civil Services Division Reports

10.1 Barlows Road Construction - Feasibility Study

171220/14 RESOLVED

(Cr Stephen McCarthy/Cr Sharon Parry)

1. That Council notes the contents of this report regarding the cost and feasibility of constructing Barlows Road between River Street and Tamarind Drive.
2. That Council authorises the expenditure of approximately \$12,000 on further traffic modelling and related works to assist in determining the cost / benefits of constructing Barlows Road, with this expenditure to be funded from adjustments to existing budgets, as identified by the General Manager and reported to Council in the December 2020 Quarterly Financial Review.
3. That Council gives priority to this project.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

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10.2 Carrs Bridge Replacement - Ballina Beach Village - Ferry Fees

171220/15 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

1. That Council authorises the General Manager to provide a 50% reduction on the weekly motor vehicle ferry ticket price for Ballina Beach Village and Seabreeze Caravan Park (if operating) guests, for each week, or part thereof, for their holiday stay, due to the Carrs Bridge reconstruction works, subject to documented evidence being provided to Council of their holiday accommodation.
2. This discount reflects the impact of the Carrs Bridge reconstruction works on the two businesses, both of which are tourism based accommodation providers, located north of Carrs Bridge at South Ballina, which means that guests must travel on the ferry while the reconstruction works are taking place.
3. That the discount apply from the commencement of works until Australia Day.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

10.3 Dust Sealing Program

171220/16 RESOLVED

(Cr Eoin Johnston/Cr Sharon Cadwallader)

That Council receive a report on options for a prioritised program of works based on the projects listed in Table 2 of the report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Nathan Willis

Matt Wood declared an interest in Item 12.1 and left the meeting at 12.46 pm.

Cr Ben Smith – at this stage, declared an interest in Item 12.1 and in particular to Item 4.1 – Wollongbar Urban Expansion Area – Stage Three Development. (Nature of Interest: non significant, non pecuniary – a family property trust has an interest in one of the lots proposed to be developed). He will be remaining in the meeting while the matter is discussed and voting on the matter.

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12. Advisory Committee Minutes

12.1 Commercial Services Committee Minutes - 8 December 2020

171220/17 RESOLVED

(Cr Phillip Meehan/Cr Jeff Johnson)

That Council confirms the minutes of the Commercial Services Committee meeting held 08 December 2020 and that the recommendations contained within the minutes be adopted, subject to the recommendation for item 4.1 (Wollongbar Urban Expansion Area – Stage Three Development) being amended to the following:

1. That Council notes the contents of this report regarding the financial feasibility for the Wollongbar Urban Expansion Area (WUEA) – Stage Three development, as per the report attachments.
2. That Council receive a further report on the proposal put forward for a social housing development at the Wollongbar Urban Expansion Area, including financial and governance implications. The report to also include information on the levels of homelessness of older women in Ballina Shire and the degree to which not for profit organisations, State and Federal Governments, are providing support for those people.
3. That Council call for expressions of interest (EOI) for the sale and development of the designated child care site. This EOI process is to be based on the child care centre being operational within two years of the sale of the land, with any sale agreement to include clauses that ensure the delivery of the centre.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

Matt Wood returned to the meeting at 12.48 pm

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

13.1 Mayoral Meetings

171220/18 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

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

14. Confidential Session

Nil items

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Public Question Time

There were no members of the public present for Public Question Time.

MEETING CLOSURE

12.47 pm

The Minutes of the Ordinary Meeting held on 17/12/20 were submitted for confirmation by council on 28 January 2021 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 28 January 2021.