

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/03/24 AT 9:00 AM**

Attendance

Crs Sharon Cadwallader (Mayor - in the chair), Kiri Dicker, Simon Chate, Jeff Johnson (arrived at 9.14am), Eoin Johnston, Stephen McCarthy (on-line, joined at 10.12am), Nigel Buchanan (part in person and part on-line), Eva Ramsey, Phillip Meehan (on-line) and Rodney Bruem.

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

There were five 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

Cr Jeff Johnson had indicated that he would be late to the meeting. Cr McCarthy would be joining the meeting on-line mid-morning.

280324/1 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

That such information be noted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Stephen McCarthy

4. Confirmation of Minutes

280324/2 RESOLVED

(Cr Eoin Johnston/Cr Kiri Dicker)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 22 February 2024.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Stephen McCarthy

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5. Declarations of Interest and Reportable Political Donations

- **Cr Sharon Cadwallader** – declared an interest in Item 8.1 – DA 2023/339 – Commercial Development – 5 Snapper Drive, Lennox Head. (Nature of Interest: non significant, non pecuniary - her superannuation fund has investments in the development company). She will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Sharon Cadwallader** – declared an interest in Item 8.2 – State Government Short Term Rental Accommodation – Submission. (Nature of Interest: non significant, non pecuniary – she has hosted short term rental accommodation). She will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Eoin Johnston** – declared an interest in Item 8.1 - DA 2023/339 – Commercial Development – 5 Snapper Drive, Lennox Head. (Nature of Interest: pecuniary - he has an investment in the development company). He will be departing the meeting while the matter is discussed.
- **Cr Phillip Meehan** – declared an interest in Item 8.2 – State Government Short Term Rental Accommodation – Submission. (Nature of Interest: non significant, non pecuniary – he has family who conducts short term rental accommodation however this matter is simply a submission to a State Government review). 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

- **Riley Chapman** – spoke in favour of Item 9.4 – Australia Day Review.
- **Terry Prendegast** – spoke in opposition to Item 11.1 – Notice of Motion – Third Village.

Extension of Time for Deputation

280324/3 RESOLVED

(Cr Nigel Buchanan/Cr Eva Ramsey)

That Mr Prendegast be given an extension of time for his Deputation.

FOR VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Simon Chate, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey and Cr Rodney Bruem

AGAINST VOTE - Cr Phillip Meehan

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Stephen McCarthy

Cr Jeff Johnson arrived at the meeting at 09:14 am.

- **Gary Bourke** – spoke in favour of Item 11.1 – Notice of Motion – Third Village.

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7. Mayoral Minutes

Nil items

Change in Order of Business

280324/4 RESOLVED

(Cr Rodney Bruem/Cr Eva Ramsey)

That Council change the order of business to deal with items as per the Deputations received.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

9.4 Australia Day Review

A **Motion** was moved by Cr Nigel Buchanan and seconded by Cr Eva Ramsey

1. That Council confirms the categories for the 2025 Ballina Shire Australia Day Awards are to remain unchanged, with citizen of the year selected from one of the categories as follows:
 - Young Citizen of the Year (30 years or under)
 - Senior Citizen of the Year (60 years or over)
 - Volunteer Award
 - Sports Award
 - Community Event of the Year
 - Arts and Cultural Award
 - Environmental Award
2. That Council confirms Sunday 26 January 2025 as the date for the 2025 Ballina Shire Australia Day Awards and Citizenship ceremony.
3. That Council host the 2025 Australia Day event at the Lennox Head Cultural Centre.
4. That Council henceforth holds the Ballina Shire Australia Day Awards and Citizenship Ceremony on January 26 annually, unless there is a change to the National Holiday by the Australian Government.
5. That Council investigate an additional awards category to acknowledge an outstanding contribution by business and professional people (eg Innovation awards for excellence in business education or technology)

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An **Amendment** was moved by Cr Simon Chate and seconded by Cr Kiri Dicker

1. That Council confirms the categories for the 2025 Ballina Shire Australia Day Awards are to remain unchanged, with citizen of the year selected from one of the categories as follows:
 - Young Citizen of the Year (30 years or under)
 - Senior Citizen of the Year (60 years or over)
 - Volunteer Award
 - Sports Award
 - Community Event of the Year
 - Arts and Cultural Award
 - Environmental Award
2. That Council confirms Monday 27 January 2025 as the date for the 2025 Ballina Shire Australia Day Awards and Citizenship ceremony.
3. That Council host the 2025 Australia Day event at the Lennox Head

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

FOR VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Simon Chate
AGAINST VOTE - Cr Sharon Cadwallader, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Kiri Dicker

1. That Council confirms the categories for the 2025 Ballina Shire Australia Day Awards are to remain unchanged, with citizen of the year selected from one of the categories as follows:
 - Young Citizen of the Year (30 years or under)
 - Senior Citizen of the Year (60 years or over)
 - Volunteer Award
 - Sports Award
 - Community Event of the Year
 - Arts and Cultural Award
 - Environmental Award
2. That Council confirms the Ballina Shire community awards and Citizenship ceremony would be held during Local Government Week.
3. That this event be held at the Lennox Head Cultural Centre.

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

FOR VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Simon Chate

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AGAINST VOTE - Cr Sharon Cadwallader, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

The Mayor ruled that a proposed addition to the motion from Cr Dicker was not relevant to the current debate and was out of order. (That Council commence work on the Reconciliation Action Plan as part of the 2024/25 Delivery Program).

A Motion of Dissent from the ruling of the Chair was moved by Cr Kiri Dicker and seconded by Cr Jeff Johnson.

The **Motion of Dissent was LOST.**

FOR VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Simon Chate
AGAINST VOTE - Cr Sharon Cadwallader, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

Cr McCarthy joined the meeting on-line at 10.12am

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

280324/5 RESOLVED

(Cr Nigel Buchanan/Cr Eva Ramsey)

1. That Council confirms the categories for the 2025 Ballina Shire Australia Day Awards are to remain unchanged, with citizen of the year selected from one of the categories as follows:
 - Young Citizen of the Year (30 years or under)
 - Senior Citizen of the Year (60 years or over)
 - Volunteer Award
 - Sports Award
 - Community Event of the Year
 - Arts and Cultural Award
 - Environmental Award
2. That Council confirms Sunday 26 January 2025 as the date for the 2025 Ballina Shire Australia Day Awards and Citizenship ceremony.
3. That Council host the 2025 Australia Day event at the Lennox Head Cultural Centre.
4. That Council henceforth holds the Ballina Shire Australia Day Awards and Citizenship Ceremony on January 26 annually, unless there is a change to the National Holiday by the Australian Government.

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5. That Council investigate an additional awards category to acknowledge an outstanding contribution by business and professional people (eg Innovation awards for excellence in business education or technology)

FOR VOTE - Cr Sharon Cadwallader, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem
AGAINST VOTE - Cr Kiri Dicker, Cr Jeff Johnson, Cr Simon Chate and Cr Stephen McCarthy

11.1 Notice of Motion - Third Village

A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Rodney Bruem

That Council include in the 2024/25 Operational Plan, an action to review Council's land management strategy, to assess the viability of a third village on the Alstonville Plateau to help address the current housing crisis and future housing needs.

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

FOR VOTE - Cr Phillip Meehan and Cr Rodney Bruem
AGAINST VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Jeff Johnson, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nigel Buchanan and Cr Eva Ramsey

Adjournment

The Mayor declared the meeting adjourned at 10.53am

The meeting resumed at 11.20am

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Cr Eoin Johnston declared an interest in Item 8.1 and left the meeting at 11:20 am.

8. Planning and Environmental Health Division Reports

8.1 DA 2023/339 - Commercial Development - 5 Snapper Drive, Lennox Head

280324/6 RESOLVED

(Cr Jeff Johnson/Cr Rodney Bruem)

1. That Council assumes the concurrence of the Secretary of the Department of Planning, Infrastructure and Environment to grant a variation to Clause 4.3 – Height of Buildings and 4.3A – Exceptions to Building Heights under Clause 4.6 of the Ballina LEP 2012.
2. That Development Application 2023/339 for Staged development involving the following: Stage 1 - Relocation of the existing stormwater drainage infrastructure and associated earthworks; Stage 2 - Erection of a two storey commercial building incorporating retail shops, cafe, and commercial offices and associated signage, car parking, landscaping and infrastructure works, and reinstatement of the previously approved kiosk (20m²) within the Epiq Marketplace at 5 Snapper Drive, Lennox Head be **APPROVED** subject to standard planning, engineering, environmental health and building conditions for this type of development, and non-standard conditions contained in Attachment 5.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Eoin Johnston

Cr Eoin Johnston returned to the meeting at 11:21 am.

8.2 State Government Short Term Rental Accommodation - Submission

A **Motion** was moved by Cr Rodney Bruem and seconded by Cr Stephen McCarthy

That Council not make a submission to the NSW State Government's Discussion Paper - Short and Long-term Rental Accommodation.

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

FOR VOTE - Cr Sharon Cadwallader, Cr Nigel Buchanan, Cr Eva Ramsey and Cr Rodney Bruem

AGAINST VOTE - Cr Kiri Dicker, Cr Jeff Johnson, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Phillip Meehan

A **Motion** was moved by Cr Rodney Bruem and seconded by Cr Nigel Buchanan

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That Council submit an amended submission to the NSW State Government's Discussion Paper - Short and Long-term Rental Accommodation, outlining key points below:

1. The assertion that STRA is taking accommodation from critical workers, but not recognising that STRA actually is heavily used by critical workers including medical personal and tradespeople on short-term contracts.
2. Failing to recognise that short term accommodation has always been a part of Ballina Shire and other coastal economies, with expert evidence suggesting the level of non-hosted single dwellings has not increased with the availability of online booking platforms.
3. The submission should be arguing for no changes in Ballina Shire (or elsewhere) until the impacts on severe restrictions in Byron Shire are known. Based on overseas experience, they will have no impact on returning STRA properties listed on popular apps like Airbnb to long-term rental as owners simply find new ways to advertise their availability (i.e. it moves underground)
4. Suggesting STRA operators should make application via a DA is impractical given the already excessive backlog of development applications (41 percent of DAs before Ballina Shire Council were delayed by more than 6 months in 2023).
5. Any policy discussion suggesting severe restrictions on Australian citizens from leasing their properties in the manner in which they choose needs to look more closely at other factors contributing to a shortage of available properties for rental in specific areas including foreign buyers stockpiling property and leaving them empty (a practice outlawed in overseas jurisdictions) and the impact of the Federal Government's high level of immigration.
6. Re additional levies on non-hosted STRA, the submission should outline the significant barriers to this being implemented from a LG perspective.

An **Amendment** was moved by Cr Kiri Dicker and seconded by Cr Jeff Johnson

That this item be deferred until after the lunch break.

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

FOR VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Simon Chate

AGAINST VOTE - Cr Sharon Cadwallader, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nigel Buchanan, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem

The Motion was subsequently withdrawn and replaced by individual motions as follows.

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280324/7 RESOLVED

(Cr Kiri Dicker/Cr Eva Ramsey)

That Council make a submission to the NSW State Government's Discussion Paper - Short and Long-term Rental Accommodation (STRA), as per the attachment to this report, and subject to any further resolutions as follows.

FOR VOTE - All Councillors voted unanimously.

Cr Stephen McCarthy left the meeting at 12:27 pm.

280324/8 RESOLVED

(Cr Eoin Johnston/Cr Eva Ramsey)

1. The submission to address the assertion that STRA is taking accommodation from critical workers, but not recognising that STRA actually is heavily used by critical workers including medical personal and tradespeople on short-term contracts.
2. The submission emphasises the provision of better data on people who are using short term holiday lettings so we can have a better understanding on critical workers.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

280324/9 RESOLVED

(Cr Rodney Bruem/Cr Nigel Buchanan)

The submission to recognise that short term accommodation has always been a part of Ballina Shire and other coastal economies, such as business and conference.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

280324/10 RESOLVED

(Cr Rodney Bruem/Cr Eva Ramsey)

The submission should canvas the preference of waiting to see the results of restrictions imposed in Byron Shire before advocating similar changes in Ballina Shire.

FOR VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem
AGAINST VOTE - Cr Jeff Johnson and Cr Simon Chate
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

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280324/11 RESOLVED

(Cr Rodney Bruem/Cr Jeff Johnson)

The submission should outline the risks that increasing the regulatory framework will place on Council's limited resources and the impact it may have on Council's output.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

Adjournment for Public Question Time and Lunch

The Mayor declared the meeting adjourned at 1.00pm. The meeting resumed at 1.45pm

Crs Jeff Johnson, Simon Chate and Nigel Buchanan were not in attendance at this stage.

8.3 Policy (Review) - Busking

280324/12 RESOLVED

(Cr Eoin Johnston/Cr Eva Ramsey)

1. That Council adopts the amended Busking Policy, with the following amendments
 - That the cost of the busking licence in Ballina Shire be reduced to \$20 for three months, and \$60 for two years.
 - That Council seeks to significantly increase busking locations throughout the shire, especially along River Street Ballina.
 - That the maximum length of time for a busking session more than five metres from a shop entrance be extended to 90 minutes, with a maximum of two sessions per day, with at least one hour separating each session.
 - That quiet percussion acts be permitted in designated "noise friendly" busking areas within the shire.
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.

Cr Jeff Johnson and Cr Simon Chate returned to the meeting at 1:47 pm.

Cr Nigel Buchanan joined the meeting on-line at 1.48pm

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

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8.4 Policy (Review) - Contaminated Land Management

280324/13 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

1. That Council adopts the amended Contaminated Land Management Policy, as per Attachment 1 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 Stephen McCarthy

8.5 Policy (Review) - Liquor Licence Application

280324/14 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

That Council rescinds the Liquor Licence Application Policy based on the framework for these applications now being administrative in nature.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

9. Corporate and Community Division Reports

9.7 Policy (Review) - Private Structures within Council Owned Waterways

280324/15 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

1. That Council adopts the amended Private Structures within Council owned Waterways Policy, as per Attachment 1 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 Stephen McCarthy

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10.3 Policy (Review) - Street Light Shielding

280324/16 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

1. That Council adopts the amended Street Light Shielding Policy, as per Attachment 1 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 Stephen McCarthy

10.4 Policy (Review) - Building Over or Adjacent to Council Assets

280324/17 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

1. That Council adopts the amended Building Over or Adjacent to Council Assets Policy, as per Attachment 1 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 Stephen McCarthy

9.1 Use of Council Seal

280324/18 RESOLVED

(Cr Eoin Johnston/Cr Simon Chate)

That Council affix the Common Seal to the following documents.

US2024/4	1. That Council, in accordance with the relevant provisions of the Local Government Act 1993, enters into the following lease of <i>community land</i> :		
	Property	Tenant	Tenure
	Part of Ballina Heights Sports Field, being the sports buildings located at 33 Power Drive Cumbalum (part of Lot 99 DP 1196589)	Tintenbar East Ballina Football Club Inc	Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)

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	<p>2. Council authorises the General Manager to affix the seal to the lease in point one and any other documents required to allow tenure to be granted in accordance with point one.</p> <p>3. That prior to points one and two being actioned, statutory public notification relating to the proposed lease of community land be undertaken, with a report to be presented to Council in the event that an objection of a substantive nature is received to the grant of the proposed lease.</p>												
US2024/5	Ballina Shire Council Lease to Viva Energy Aviation Pty Ltd for Lot 276 DP 1262163, 21 Southern Cross Drive Ballina, for a five-year lease with a five-year option at market rent.												
US2024/6	<p>1. That Council, in accordance with the relevant provisions of the Local Government Act 1993, enters into the following leases of <i>community land</i>:</p> <table border="1" data-bbox="549 869 1441 1339"> <thead> <tr> <th data-bbox="549 869 836 902">Property</th> <th data-bbox="836 869 1027 902">Tenant</th> <th data-bbox="1027 869 1441 902">Tenure</th> </tr> </thead> <tbody> <tr> <td data-bbox="549 902 836 1059">Part Lot 7064 DP 1118403 – Owen Street, Ballina (Council is Crown Land Manager)</td> <td data-bbox="836 902 1027 1059">Ballina Junior Rugby League Football Club Inc</td> <td data-bbox="1027 902 1441 1059">Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)</td> </tr> <tr> <td data-bbox="549 1059 836 1216">Part Lot 7064 DP 1118403 – Owen Street, Ballina (Council is Crown Land Manager)</td> <td data-bbox="836 1059 1027 1216">Ballina Netball Association Inc</td> <td data-bbox="1027 1059 1441 1216">Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)</td> </tr> <tr> <td data-bbox="549 1216 836 1339">Part Lot 4 DP 1153430 – Canal Road, Ballina</td> <td data-bbox="836 1216 1027 1339">The Ballina Community Gardens Inc</td> <td data-bbox="1027 1216 1441 1339">Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)</td> </tr> </tbody> </table> <p>2. Council authorises the General Manager to affix the seal to the lease documents in point one and any other documents required to allow tenure to be granted in accordance with point one.</p> <p>3. That prior to points one and two being actioned, statutory public notification relating to the proposed lease of community land be undertaken, with a report to be presented to Council in the event that an objection of a substantive nature is received to the grant of the proposed lease.</p>	Property	Tenant	Tenure	Part Lot 7064 DP 1118403 – Owen Street, Ballina (Council is Crown Land Manager)	Ballina Junior Rugby League Football Club Inc	Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)	Part Lot 7064 DP 1118403 – Owen Street, Ballina (Council is Crown Land Manager)	Ballina Netball Association Inc	Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)	Part Lot 4 DP 1153430 – Canal Road, Ballina	The Ballina Community Gardens Inc	Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)
Property	Tenant	Tenure											
Part Lot 7064 DP 1118403 – Owen Street, Ballina (Council is Crown Land Manager)	Ballina Junior Rugby League Football Club Inc	Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)											
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Part Lot 4 DP 1153430 – Canal Road, Ballina	The Ballina Community Gardens Inc	Four year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$590 per annum plus GST)											

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

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9.2 Investment Summary - February 2024

280324/19 RESOLVED

(Cr Simon Chate/Cr Rodney Bruem)

That Council notes the report of banking and investments for February 2024.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

9.3 Local Government Election - Ordinary Meeting Date September 2024

280324/20 RESOLVED

(Cr Eoin Johnston/Cr Rodney Bruem)

That Council approves the cancellation of the September 2024 Ordinary meeting, scheduled for Thursday 26 September 2024, due to the date of the 2024 Local Government election.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

9.5 Tender - Surf Schools, Elite Surf Coaching and Stand-up Paddleboards

280324/21 RESOLVED

(Cr Simon Chate/Cr Eva Ramsey)

1. That Council in accordance with the Local Government (General) Regulation 2021 Section 178(1)(a), accepts the tender and awards the contract for the specific sub-licences to:

Surf Schools

- Lets Go Surfing Pty Ltd
- Soul Surf School Pty Ltd
- Terence Hannon

Elite Surf Coaching

- Lets Go Surfing Pty Ltd
- Ability Surf Pty Ltd
- Wilko Promotions Pty Ltd
- David Rutter

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Stand-up Paddleboarding

- Lets Go Surfing Pty Ltd

for the Tender - Surf Schools, Elite Surf Coaching and Stand-up Paddleboards.

2. That Council authorises the General Manager to sign the contract documents.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

9.6 Tender - Rock Revetment Works, North Creek and Richmond River

280324/22 RESOLVED

(Cr Rodney Bruem/Cr Eva Ramsey)

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender and awards the contract to Civilwise Pty Ltd for the Tender - Rock Revetment Works, North Creek and Richmond River for the total amount of \$808,582.46 (excluding GST).
2. That Council authorises the General Manager to sign the contract documents.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Stephen McCarthy

10. Civil Services Division Reports

10.1 River Street/Kerr Street, Ballina Intersection - Public Exhibition

280324/23 RESOLVED

(Cr Phillip Meehan/Cr Rodney Bruem)

1. That Council acknowledges the submissions as outlined in this report, and on balance, approves proceeding with the extension of the second (outer) eastbound lane in River Street from Kerr Street to Grant Street to improve traffic flow and reduce traffic congestion.
2. That Council notes that this change will provide lane duplication for this part of River Street and will result in a need to convert the current angle parking in River Street, north side from Kerr Street to Grant Street, to parallel parking.

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ON 28/03/24 AT 9:00 AM**

3. That beautification works (including landscaping, lighting and new footpaths) for the River Street block between Grant and Kerr Streets be considered as part of the formulation of the 2024/25 Delivery and Operational Plan.
4. That consideration be given to the provision of improved pedestrian access in River Street between Kerr and Grant Streets, as part of these works.

Cr Kiri Dicker left the meeting at 02:23 pm.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

10.2 Water and Wastewater Development Servicing Plans - Re-exhibition

280324/24 RESOLVED

(Cr Rodney Bruem/Cr Simon Chate)

That Council approves the exhibition of the amended draft Development Servicing Plan for Water Supply and the amended draft Development Servicing Plan for Wastewater and Recycled Water Supply, as per Attachments 1 and 2 to this report, for public comment.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

11. Notices of Motion

11.2 Notice of Motion - Fire Ants

280324/25 RESOLVED

(Cr Eoin Johnston/Cr Rodney Bruem)

That Council write to Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government seeking a Federal Government commitment to support the recommendations from the current Senate Inquiry on Red Imported Fire Ants in Australia, and particularly if there is a recommendation to provide additional funding, to ensure that Australia is in the best position possible to eradicate this invasive species.

The suggested funding should be applied to the nation as a whole and not be subject to political or boundary considerations.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/03/24 AT 9:00 AM**

12. Advisory Committee Minutes

12.1 Finance and Facilities Committee Minutes - 13 March 2024

280324/26 RESOLVED

(Cr Simon Chate/Cr Eva Ramsey)

That Council confirms the minutes of the Finance and Facilities Committee meeting held 13 March 2024 and that the recommendations contained within the minutes be adopted, with the following amendment:

That the voting for Item 5.5 – Wastewater Operations – Long Term Financial Plan to be amended to include Cr Simon Chate as voting for the motion. Cr Chate was on-line for this meeting and his computer froze, therefore a vote in the negative was recorded.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

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

13.1 Mayoral Meetings

280324/27 RESOLVED

(Cr Rodney Bruem/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

Motion of Urgency

280324/28 RESOLVED

(Cr Rodney Bruem/Cr Eoin Johnston)

That the matter of critical response kits for South Ballina and Patches Beaches be dealt with as a matter of urgency due to public safety reasons.

FOR VOTE - Cr Sharon Cadwallader, Cr Jeff Johnson, Cr Eoin Johnston, Cr Eva Ramsey and Cr Rodney Bruem
AGAINST VOTE - Cr Simon Chate, Cr Nigel Buchanan and Cr Phillip Meehan
ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/03/24 AT 9:00 AM**

Critical Response Kits - South Ballina and Patches Beaches

280324/29 RESOLVED

(Cr Rodney Bruem/Cr Eva Ramsey)

That Council contacts the National Parks and Wildlife Service with a view to facilitating the upgrade of emergency beach safety equipment at South Ballina and Patches Beaches to be of a similar standard to other beaches in the Shire.

FOR VOTE - Cr Sharon Cadwallader, Cr Jeff Johnson, Cr Simon Chate, Cr Eoin Johnston, Cr Nigel Buchanan, Cr Eva Ramsey and Cr Rodney Bruem

AGAINST VOTE - Cr Phillip Meehan

ABSENT. DID NOT VOTE - Cr Kiri Dicker and Cr Stephen McCarthy

MEETING CLOSURE

3.13pm

The Minutes of the Ordinary Meeting held on 28/03/24 were submitted for confirmation by council on 24 April 2024 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 24 April 2024.