

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 22/05/25 AT 9:00 AM**

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**Attendance**

Crs Sharon Cadwallader (Mayor - in the chair), Michelle Bailey, Simon Kinny, Damian Loone, Therese Crollick, Simon Chate, Eva Ramsey, Erin Karsten, Kiri Dicker and Phil Meehan.

Matthew Wood (Acting General Manager and Director - Planning and Environmental Health Division), John Truman (Director - Civil Services Division), Caroline Klose (Director - Corporate and Community Division) and Nikki Glassop (Executive Assistant - General Manager and Mayor) were in attendance.

There were 28 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**

**220525/1 RESOLVED**

(Cr Erin Karsten/Cr Simon Chate)

That Council approves the following request for leave of absence:

- Cr Eva Ramsey
  - 23 October 2025 Ordinary meeting

FOR VOTE - All Councillors voted unanimously.

**4. Confirmation of Minutes**

**220525/2 RESOLVED**

(Cr Eva Ramsey/Cr Erin Karsten)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 24 April 2025.

FOR VOTE - All Councillors voted unanimously.

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**5. Declarations of Interest and Reportable Political Donations**

- **Cr Simon Chate** declared an interest in Item 7.1 Mayoral Minute – Lane Naming (Nature of Interest: non-significant, non-pecuniary). Cr Chate knows Shelly Brown; and Item 8.1 Hampton Park Draft Master Plan – Adoption (Nature of Interest: non-significant, non-pecuniary). Cr Chate has a son who occasionally plays at the Ballina Tennis Club. Cr Chate will remain in the meeting and vote on both items.
- **Matthew Wood** – declared an interest in Item 8.1 Hampton Park Draft Master Plan – Adoption (Nature of Interest: non-significant, non-pecuniary). Mr Wood has a child who is a member of the Ballina Tennis Club for the purpose of receiving tennis lessons and occasional match play. Neither Mr Wood or his child have any substantive role or relationship with the tennis club beyond the above mentioned participation in the sport. Mr Wood will remain in the room while this Item is discussed and answer any questions arising as needed.

**6. Deputations**

- **Steve Bergan, President – Northern Rivers Pickleball** – spoke in opposition to Item 8.1 Hampton Park Draft Master Plan – Adoption.
- **Graham Keam, President – Ballina Tennis Club** – spoke in favour of Item 8.1 Hampton Park Draft Master Plan – Adoption.
- **Mike Russo – Ballina Croquet Inc and Carmel Smith – Rainbow Region Dragon Boat Club** – spoke in favour of Item 11.1 Notice of Motion - Sport and Recreation Plan and Facilities.

**7. Mayoral Minutes**

**7.1 Mayoral Minute - Lane Naming**

**220525/3          RESOLVED**

(Cr Sharon Cadwallader)

1. That Council seek approval from the Geographical Names Board to name the unnamed access road near the Ballina Byron Gateway Airport, Lightwing Lane.
2. That Council write to Shelly Brown to advise of the outcome and thank her for the submission.

FOR VOTE - All Councillors voted unanimously.

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**Change in Order of Business**

**220525/4        RESOLVED**

(Cr Erin Karsten/Cr Simon Chate)

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

FOR VOTE - All Councillors voted unanimously.

**8.        Planning and Environmental Health Division Reports**

**8.1       Hampton Park Draft Master Plan - Adoption**

**Extension of Time**

**220525/5        RESOLVED**

(Cr Simon Kinny/Cr Simon Chate)

That Cr Phil Meehan be granted an extension of time for speaking on this item.

FOR VOTE - All Councillors voted unanimously.

**220525/6        RESOLVED**

(Cr Phil Meehan/Cr Therese Crollick)

1.    That Council adopts the revised Hampton Park Master Plan, as per Attachment 4 to this report, for implementation, subject to the points below.
2.    That Council undertakes the applicable procedural steps to amend the Plan of Management for Community Land to incorporate Hampton Park and the Hampton Park Master Plan.
3.    That Council works with the Cherry Street Sports Club in relation to provision of carparking on Hampton Park along the Moon Street entry road.
4.    That the additional hard courts are not dual line marked for pickleball.

FOR VOTE - Cr Sharon Cadwallader, Cr Michelle Bailey, Cr Simon Kinny, Cr Damian Loone, Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey, Cr Kiri Dicker and Cr Phil Meehan

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**11.1    Notice of Motion - Sport and Recreation Plan and Facilities**

A **Motion** was moved by Cr Erin Karsten and seconded by Cr Therese Crollick

1. That Council includes an action to undertake a review of the Ballina Shire Sport and Recreation Plan in the 2026/27 financial year in the draft 2025/26 to 2028/29 Delivery Program and Operational Plan.
2. That the review of the plan includes particular regard for the condition of existing sporting facilities in Ballina Shire, the need for maintenance and refurbishment of existing facilities, the needs of emerging and growing sports, strategic priorities of governing sporting bodies, community sporting group feedback and priorities for implementation of identified actions, including, but not limited to solutions for Squash, Pickleball, Croquet and Rainbow Dragon Boats.

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

That the Sport and Recreation Plan and Facilities Item be deferred to the June Ordinary meeting for consideration of facilities for pickleball and croquet in the context of the Delivery Program and Operational Plan.

The **Amendment LAPSED** as there was no seconder

1. That Council includes an action to undertake a review of the Ballina Shire Sport and Recreation Plan in the 2026/27 financial year in the draft 2025/26 to 2028/29 Delivery Program and Operational Plan.
2. That the review of the plan includes particular regard for the condition of existing sporting facilities in Ballina Shire, the need for maintenance and refurbishment of existing facilities, the needs of emerging and growing sports, strategic priorities of governing sporting bodies, community sporting group feedback and priorities for implementation of identified actions, including, but not limited to solutions for Squash, Pickleball, Croquet and Rainbow Dragon Boats.

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

FOR VOTE - Cr Therese Crollick, Cr Simon Chate, Cr Erin Karsten and Cr Kiri Dicker

AGAINST VOTE - Cr Sharon Cadwallader, Cr Michelle Bailey, Cr Simon Kinny, Cr Damian Loone, Cr Eva Ramsey and Cr Phil Meehan

Cr Michelle Bailey left the meeting at 10:55 am.

A **Motion** was moved by Cr Kiri Dicker and seconded by Cr Therese Crollick

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**220525/7          RESOLVED**

(Cr Kiri Dicker /Cr Therese Crollick)

That Council revisit the Cawarra Park Master Plan.

FOR VOTE - Cr Simon Kinny, Cr Damian Loone, Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey, Cr Erin Karsten, Cr Kiri Dicker and Cr Phil Meehan

AGAINST VOTE - Cr Sharon Cadwallader

ABSENT. DID NOT VOTE - Cr Michelle Bailey

**Adjournment**

The Mayor declared the meeting adjourned at 11.04am.

The meeting resumed at 11.30am. Cr Michelle Bailey returned to the meeting.

**8.2      DA 2024/283 - Live / Work Development - EPIQ, Lennox Head**

**220525/8          RESOLVED**

(Cr Kiri Dicker/Cr Simon Kinny)

1. That Council endorses the proposed variation to Clause 4.3 Height of buildings and Clause 4.3A Exceptions to height of buildings development standard to enable a maximum building height of RL 14.14 metres AHD (equating to a variation of 44%) for the reasons outlined in this report.
2. That Development Application 2024/283 for the Construction of 26 x two-storey live/work units and associated works including infrastructure works, earthworks/construction of retaining walls and landscaping at Lot: 6 – 11 and 24 – 30 and 39 – 45 and 54 59 DP:1293430, known as No. 1, 3, 5, 7, 9, 11, 13, 15, 25, 17, 19, 21, 23, 27, 29, 31, 33, 35, 37, 29 Salt Air Circuit Lennox Head, and 1, 3, 5, 7, 9 Starboard Crescent, 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 6.

FOR VOTE - All Councillors voted unanimously.

**8.3      Policy (Review) - Compliance and Enforcement**

**220525/9          RESOLVED**

(Cr Erin Karsten/Cr Simon Chate)

1. That Council adopts the revised Compliance and Enforcement Policy, as per Attachment 1 to this report.

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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, no further action is required.

FOR VOTE - All Councillors voted unanimously.

**9. Corporate and Community Division Reports**

**9.1 Use of Council Seal**

**220525/10      RESOLVED**

(Cr Simon Chate/Cr Therese Crollick)

That Council affix the Common Seal to the following documents.

US2025/5	Ballina Shire Council Variation to Lease to Shelly Beach Café Ballina Pty Ltd for Lot 3 DP 1205999, 1 Shelly Beach Road, East Ballina. The variation to lease is to add an additional five-year term to the current lease at market rent.								
US2025/6	<div>1. That Council enter into the following licence for community land:</div> <table><tr><th>Property</th><th>Tenant</th><th>Tenure</th></tr><tr><td>Parts of Chickiba Park located at 86 Chickiba Drive East Ballina, Part lot 207 DP 85131 8</td><td>Ballina Allstar Athletics Incorporated (formerly Ballina Little Athletics Incorporated)</td><td>Two licence agreements being a one-year licence for storage areas on the land for up to three shipping containers and a one-year licence for use of parts of the existing building at a combined licence fee equal to the statutory minimum rent charged by Crown Lands (currently \$604 per annum plus GST)</td></tr></table> <div>2. Council authorises the General Manager to affix the seal to the lease/licence documents in point one and any other documents required to allow tenure to be granted in accordance with point one.</div> <div>3. That prior to points one and two being actioned, statutory public notification relating to the proposed lease/licence of community land be undertaken, with a report to be presented to Council if an objection of a substantive nature is received, prior to granting of the proposed lease/licence.</div>			Property	Tenant	Tenure	Parts of Chickiba Park located at 86 Chickiba Drive East Ballina, Part lot 207 DP 85131 8	Ballina Allstar Athletics Incorporated (formerly Ballina Little Athletics Incorporated)	Two licence agreements being a one-year licence for storage areas on the land for up to three shipping containers and a one-year licence for use of parts of the existing building at a combined licence fee equal to the statutory minimum rent charged by Crown Lands (currently \$604 per annum plus GST)
Property	Tenant	Tenure							
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US2025/7	1. That Council enter into a one-year licence agreement with Northern Rivers Hang Gliding and Paragliding Club								

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	<p>Incorporated at a licence fee equal to the statutory minimum rent charged by Crown Lands (currently \$604 per annum plus GST) over part of Crown Reserve 1010068 at Pat Morton Lookout Lennox Head and part of Council land at Pat Morton Lookout Lennox Head and Headlands drive Skennars Head being:</p> <ul style="list-style-type: none"> <li>• Part of Lot 7035 DP 1063864 (Crown Land Reserve 1010068 at Pat Morton Lookout, Lennox Head),</li> <li>• Part of Lot 1 DP 1228200 (Crown Land Reserve 1010068 at Pat Morton Lookout, Lennox Head),</li> <li>• Part of Lot 3 DP 573196 (Council Land at Pat Morton Lookout, Lennox Head), and</li> <li>• Part of Lot 43 DP 805356 (Council Land at Headlands Drive, Skennars Head).</li> </ul> <p>2. Council authorises the General Manager to affix the seal to the lease/licence documents in point one and any other documents required to allow tenure to be granted in accordance with point one.</p>
US2025/8	Change of Entity on Contract of Sale – Lot 9 DP 1290238 from Matthew Barber and Nicole Sims to Nine Hercules Pty Ltd.

FOR VOTE - All Councillors voted unanimously.

**9.2 Investment Summary - April 2025**

**220525/11 RESOLVED**

(Cr Eva Ramsey/Cr Kiri Dicker)

That Council notes the contents of this report on banking and investments for April 2025.

FOR VOTE - All Councillors voted unanimously.

**9.3 Ward Committee - Membership**

**220525/12 RESOLVED**

(Cr Therese Crollick/Cr Simon Chate)

1. That Council approves Pearces Creek Hall and Alstonville Community Preschool as members of Council's C Ward Committee.
2. That Council approves Heritage Advisory Ballina as a member of Council's A Ward Committee.

FOR VOTE - All Councillors voted unanimously.

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**9.4     Legal Matters - Update**

**220525/13     RESOLVED**

(Cr Simon Kinny/Cr Damian Loone)

That Council notes the contents of this Legal Matters – Update report.

FOR VOTE - All Councillors voted unanimously.

**9.5     Financial Assistance - Council Fees and Community Donation**

**220525/14     RESOLVED**

(Cr Simon Kinny/Cr Damian Loone)

That, as per the Donations – Assistance with Council fees for Community Groups Policy, Council approves the reimbursement of \$2,599.13 for the Council fees paid for DA 2023/302 by the Alstonville Tennis and Pickleball Club Inc.

FOR VOTE - All Councillors voted unanimously.

**9.6     Policy (Review) - Councillor Expenses and Facilities Policy - Adoption**

**220525/15     RESOLVED**

(Cr Therese Crollick/Cr Damian Loone)

That Council adopts the Councillor Expenses and Facilities Policy, as exhibited, as per Attachment 1, to this report.

FOR VOTE - All Councillors voted unanimously.

**9.7     Tender - Trades and Services Panel**

**220525/16     RESOLVED**

(Cr Simon Chate/Cr Erin Karsten)

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tenders and awards the contracts to:

- About Asbestos Pty Ltd
- Fletcher Patterson Pty Ltd T/A Ballina Demolitions
- Barden Constructions



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- Bouman Pty Ltd Pty Ltd
- Byron Bay Demolitions t/a Leez Group
- Coastal Bin Busters
- Col Groves Electrics
- Command51 Pty Ltd Pty Ltd
- Connect Builders Pty Ltd
- Dave Walker Fencing Pty Ltd
- DSSS Holdings P/L ATF McKinnon Family Trust
- Fennec Services Pty Ltd
- Forge Solutions NSW Pty Ltd NSW Pty Ltd
- Goat Collective Pty Ltd
- Highline All Electrical Pty Ltd
- Howard Crescent Pty Ltd
- Lifestyle Earthworks & Demolition Pty Ltd
- Lismore Plaster Works P/L T/A Goldsmiths Building Services
- Matt Creighton Painting
- Miroma Views Pty Ltd ATF The PSR Investment Trust T/A Big Tree Care
- Quadracon Building Pty Ltd
- Rob Ward Electrical Services Pty Ltd
- Sidney and Richardson
- State Connect Pty Ltd
- Steady State Pty Ltd
- Stinson Projects Pty Ltd T/A Blaze Projects
- Stowe Australia Pty Limited
- Sub Scan Australia Pty Ltd
- Sustaine Electrical & Solar (PTY LTD)
- Thearle Electrical & G&S Electrical
- Want Gas Plumbing (Ballina) Pty Ltd
- Westbury Constructions Pty Ltd

for the Tender - Trades and Services Panel.

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

FOR VOTE - All Councillors voted unanimously.

**9.8 Tender - Airport - Air Conditioning and Plant Deck Replacement**

**220525/17      RESOLVED**

(Cr Simon Chate/Cr Erin Karsten)

1. That Council in accordance with the Local Government (General) Regulation 2021 Section 178(1)(b), declines to accept any tenders for the Tender - Airport - Air Conditioning and Plant Deck Replacement as the tender exceeded the initial cost estimates.

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2. That Council, in accordance with Local Government (General) Regulation 2021 Section 178(3)(e) authorises the General Manager to enter into negotiations with parties, whether or not they have tendered, with a view to enter into a contract for the Tender - Airport - Air Conditioning and Plant Deck Replacement .
  3. That in accordance with the Local Government (General) Regulation 2021 Section 178(4)(a) the reason Council has declined to invite fresh tenders is that the tender process has established the level of market interest, and it is more efficient and timelier to negotiate with interested parties than call for new submissions.
  4. That in accordance with the Local Government (General) Regulation 2021 Section 178(4)(b), Council has determined to negotiate with parties, whether or not they have tendered with a view to entering a contract in relation to the subject matter, to maximise the opportunity to obtain value for money for Council, and due to the limited response to the initial tender.

FOR VOTE - All Councillors voted unanimously.

**9.9 Tender - Garbage and Recyclable Waste - Haulage and Disposal**

**220525/18      RESOLVED**

(Cr Simon Chate/Cr Erin Karsten)

1. That Council in accordance with the Local Government (General) Regulation 2021 Section 178(1)(b), declines to accept any tenders for the Tender - Garbage and Recyclable Waste - Haulage and Disposal as the tenders received require negotiations to clarify all aspects of the tender submissions, including pricing and service levels proposed in the tender submissions.
2. That Council, in accordance with Local Government (General) Regulation 2021 Section 178(3)(e) authorises the General Manager to enter into negotiations with all tenderers, with a view to enter into a contract for the Tender - Garbage and Recyclable Waste - Haulage and Disposal.
3. That in accordance with the Local Government (General) Regulation 2021 Section 178(4)(a) the reason Council has declined to invite fresh tenders is that the tender process has established sufficient market interest, and it is more efficient and timelier to negotiate with interested parties than call for new submissions.
4. That in accordance with the Local Government (General) Regulation 2021 Section 178(4)(b), Council has determined to negotiate with all tenderers with a view to entering a contract in relation to the subject matter following assessment against the mandatory and weighted evaluation criteria established for the tender.

FOR VOTE - All Councillors voted unanimously.

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**9.10    Tender - Bus Stop Services – Advertising and Asset Maintenance**

**220525/19        RESOLVED**

(Cr Simon Chate/Cr Erin Karsten)

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender and awards the contract to Claude Outdoor Pty Ltd for the Tender - Bus Stop Services – Advertising and Asset Maintenance for the amount of \$52,000 (excluding GST) per annum.
2. That Council authorises the General Manager to sign the contract documents.

FOR VOTE - All Councillors voted unanimously.

**9.11    Financial Year 2024/25 - 31 March 2025 Review**

**220525/20        RESOLVED**

(Cr Erin Karsten/Cr Eva Ramsey)

1. That Council notes the contents of this report for the March 2025 Quarterly Financial Review and approves the budget changes identified within the report.
2. That Council approves a budget increase of \$225,000 to loan funding for the Depot Administration Building, with a revised total loan funding of \$1,225,000 for these works.
3. That Council write to the Minister responsible for Crown Lands, requesting rescission of the compulsory acquisition of Lighthouse Parade, East Ballina and Regatta Avenue, Ballina, and to waive interest charges that have been applied.
4. That the Mayor makes representations to the Minister on the matter of the compulsory acquisition of Crown Land.

FOR VOTE - All Councillors voted unanimously.

**10.      Civil Services Division Reports**

**10.1    Bridge Duplication Project - Scope and Budget Review**

**220525/21        RESOLVED**

(Cr Simon Kinny/Cr Therese Crollick)

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1. That Council notes the contents of this report regarding the cost and budget update for the Bridge Duplication Project, noting that further reporting will consider the options discussed following the close of tenders.
2. That Council notes the contents of this report regarding the public exhibition of the Review of Environmental Factors for the Bridge Duplication Project.
3. That Council notes the contents of this report regarding the shared path and footpath arrangements, proposed in the construction of the Bridge Duplications.

FOR VOTE - All Councillors voted unanimously.

**10.2 Rural Roads - Dust Sealing Program**

**220525/22      RESOLVED**

(Cr Therese Crollick/Cr Simon Chate)

That Council adopts the ten-year Dust Sealing Program, as per Table 5 of this report, for inclusion in the Delivery Program and Operational Plan.

FOR VOTE - All Councillors voted unanimously.

**11. Notices of Motion**

**11.2 Notice of Motion - Ballina Community Connections Expo - A Ward**

**220525/23      RESOLVED**

(Cr Erin Karsten/Cr Damian Loone)

That Council include a \$5,000 amount in the annual budget shared equally across each of the Wards to be sourced from the Community Events budget for Community Connections events across the shire.

FOR VOTE - All Councillors voted unanimously.

**11.3 Notice of Motion - Tidy Town Signs**

**220525/24      RESOLVED**

(Cr Simon Chate/Cr Simon Kinny)

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That Council investigate options for a new location within Alstonville to display the Alstonville Tidy Town signs that were removed from their previous home at Elizabeth Ann Brown Park, Alstonville.

FOR VOTE - Cr Sharon Cadwallader, Cr Michelle Bailey, Cr Simon Kinny, Cr Damian Loone, Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey, Cr Erin Karsten and Cr Kiri Dicker

AGAINST VOTE - Cr Phil Meehan

**Public Question Time**

The Mayor declared the meeting adjourned at 12.53pm for Public Question Time. There was one member of the gallery present.

The meeting resumed at 12.57pm.

**12. Advisory Committee Minutes**

Nil Items

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

**13.1 Mayoral Meetings**

**220525/25      RESOLVED**

(Cr Therese Crollick/Cr Erin Karsten)

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

FOR VOTE - All Councillors voted unanimously.

**13.2 LGNSW Rural and Regional Summit - Report from Cr Crollick**

**220525/26      RESOLVED**

(Cr Therese Crollick/Cr Michelle Bailey)

That Council notes the contents of the report from Cr Crollick on the LGNSW Regional and Rural Summit.

FOR VOTE - All Councillors voted unanimously.

**14. Confidential Session**

**220525/27      RESOLVED**

(Cr Michelle Bailey/Cr Damian Loone)

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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 Bridge Duplication Project - Land Acquisition**

**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993. which permits the meeting to be closed to the public for business relating to the following:-

- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

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 may prejudice the ongoing negotiations.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 1.07pm).

**Open Council**

**220525/28      RESOLVED**

(Cr Michelle Bailey/Cr Damian Loone)

That Council move into Open Council and out of Committee of the Whole.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 1.24pm).

The Mayor reported to the Open Meeting the recommendations made while in Confidential Session:

**14.1 Bridge Duplication Project - Land Acquisition**

**CF220525/29      RECOMMENDED**

(Cr Damian Loone/Cr Erin Karsten)

1. That Council confirms support for Option 1, as detailed in this report, in respect to the proposed land acquisition and the compensation figure.

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2. That Council authorises the Mayor, to make representations to the NSW Minister for Lands and Property, to ensure this acquisition is finalised as expeditiously as possible.

FOR VOTE - All Councillors voted unanimously.

**Adoption of Recommendations from Confidential Session**

**220525/30      RESOLVED**

(Cr Erin Karsten/Cr Eva Ramsey)

That the recommendations made whilst in Confidential Session, be adopted.

FOR VOTE - All Councillors voted unanimously.

**MEETING CLOSURE**

The meeting was closed at 1.25pm.

The Minutes of the Ordinary Meeting held on 22/05/25 were submitted for confirmation by council on 26 June 2025 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 26 June 2025.