

Agenda

Ordinary Meeting

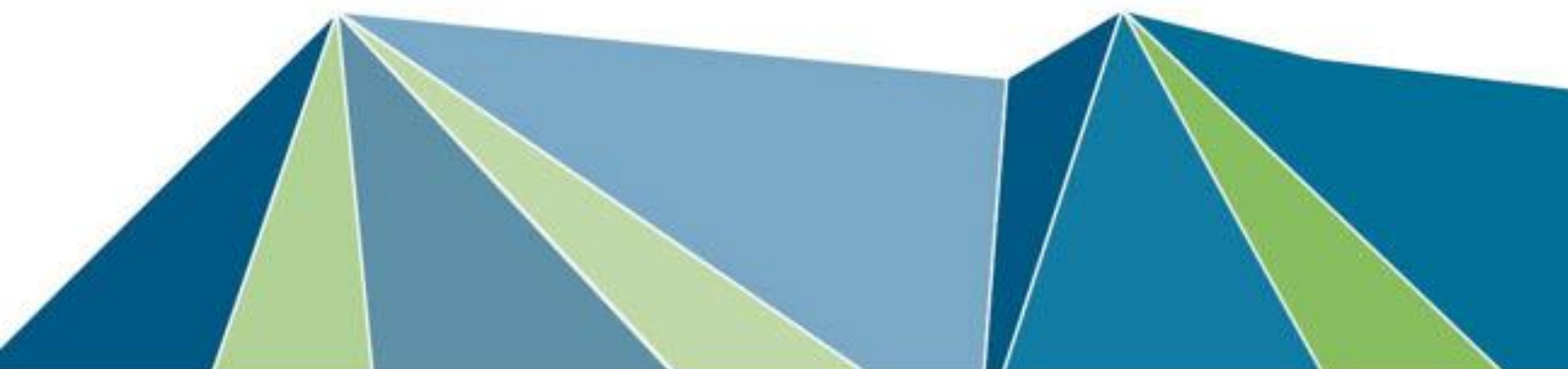
26 June 2025

An Ordinary Meeting of Ballina Shire Council
will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina
on **26 June 2025 commencing at 9:00 AM.**

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

Paul Hickey
General Manager

A morning tea break is taken at 10.30am and a lunch break taken at 1.00pm.



Ethical Decision Making and Conflicts of Interest

A guide for Councillors, Council employees and community representatives

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of Interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to yourself or another person or entity defined in part 4 of the Council's Code of Conduct, with whom you are associated.
- **Non-pecuniary** – a private or personal interest that you have that does not amount to a pecuniary interest as defined in the Council's Code of Conduct.

These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.

The test for a conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- It is important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- Do I have private interests affected by a matter I am officially involved in?
- Is my official role one of influence or perceived influence over the matter?
- Do my private interests' conflict with my official role?

Disclosure and participation in meetings

Pecuniary Interests

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council or Committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - A person does not breach this clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests

Must be disclosed in meetings. There are a broad range of options available for managing non-pecuniary interests and the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary interests must be dealt with in one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.

- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as per the provisions in the Code of Conduct (particularly if you have a significant non pecuniary interest)

Deputations to Council – Guidelines

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

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

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

Recording and Livestreaming of Council Meetings

- The meeting (with the exception of the confidential session) is being livestreamed and recorded for on-demand viewing via Council's website (ballina.nsw.gov.au/agendas-and-minutes) and a person's image and/or voice may be broadcast.
- Attendance at the meeting is taken as consent by a person to their image and/or voice being webcast.
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent.
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings. All liability will rest with the individual who made the comments.
- This meeting must not be recorded by others without the prior written consent of the Council in accordance with Council's Code of Meeting Practice.

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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

4. Confirmation of Minutes

A copy of the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 22 May 2025 were distributed with the business paper.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 22 May 2025.

5. Declarations of Interest and Reportable Political Donations

6. Deputations

7. Mayoral Minutes

Nil Items

8. Planning and Environmental Health Division Reports

8.1 DA 2024/85 - 2 Lot Boundary Adjustment - 18-20 Riverside Drive, Ballina

Applicant	Graham Meineke
Property	Lot 9 DP 31154, 18 Riverside Drive BALLINA, and Lot 10 DP 31154, 20 Riverside Drive BALLINA
Proposal	Torrens Title Subdivision involving a boundary adjustment to create two modified lots comprising 1 x 391.8m ² allotment and 1 x 620m ² allotment and associated changes to boundary fencing.
Effect of Planning Instrument	The land is zoned R2 – Low Density Residential under the provisions of the Ballina LEP 2012.
Locality Plan	The subject land is depicted in the locality plan attached.

Introduction

Council is in receipt of a Development Application 2024/85 for a two-lot boundary adjustment on Lots 9 and 10 DP31154, known as 18 and 20 Riverside Drive, Ballina.

This application is being reported to Council for determination due to the extent of variation to the development standard relating to the minimum subdivision lot size of one of the proposed two lots (being greater than 10%).

To assist Council in its consideration and determination of the application, this report outlines the proposed development and addresses key matters under Section 4.15 of the Environmental Planning and Assessment Act (EP & A Act) 1979.

The full Section 4.15 report, which provides an assessment of all required matters under the EP & A Act 1979, is contained in Attachment 2.

A copy of the plans for the proposed development are contained in Attachment 3.

Background

Development Approval History

The subject lots were created as part of a subdivision of Portion 74, 98 & 89 in 1960, with the lots between No. 1 and No. 16 being generally of the same area and L-shape. All other lots along the northern side of Riverside Drive and along the southern side of Riverside Drive to the west of the public reserve that adjoins no.16 are rectangular in shape.

The sixteen L-shaped allotments between Oakland Avenue and Daydream Avenue are dissimilar to development further to the east and west along the

8.1 DA 2024/85 - 2 Lot Boundary Adjustment - 18-20 Riverside Drive, Ballina

Richmond River. The L-shaped subdivision pattern is seen in other small pockets along the canal in Ballina, such as Dolphin Drive.

The L-shaped lot configuration increases the lot yield where the depth of the land between the road and the waterway is relatively large and maximises the number of residential lots with direct waterfront access.

In the case of the subject lots and the immediate surrounds the access handles adjoining Riverside Drive to the north provide vehicular access to service the rear lots and the handles at the rear of the lots fronting Riverside Drive provide direct access to the Richmond River for the eight lots fronting Riverside Drive.

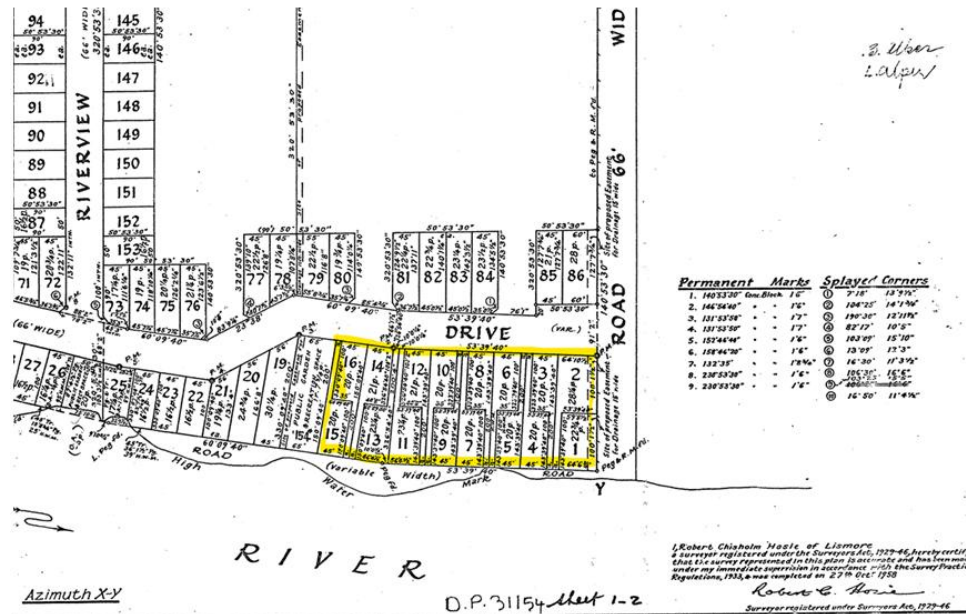


Figure 1 - Original Plan of Subdivision showing the 16 battleaxe lots highlighted yellow.

Details of Proposal

The proposal seeks consent for a Torrens Title Subdivision by way of a two-lot boundary adjustment. Proposed Lot 1 is 391.8m² and proposed Lot 2 is 620m².

The boundary adjustment intends to consolidate the access handle to the Richmond River at the rear of Lot 10 into Lot 9 whilst still maintaining the access handle for Lot 9 to Riverside Drive.

As consequence, Lot 10 will be rectangular in shape and will no longer benefit from direct access to the river.

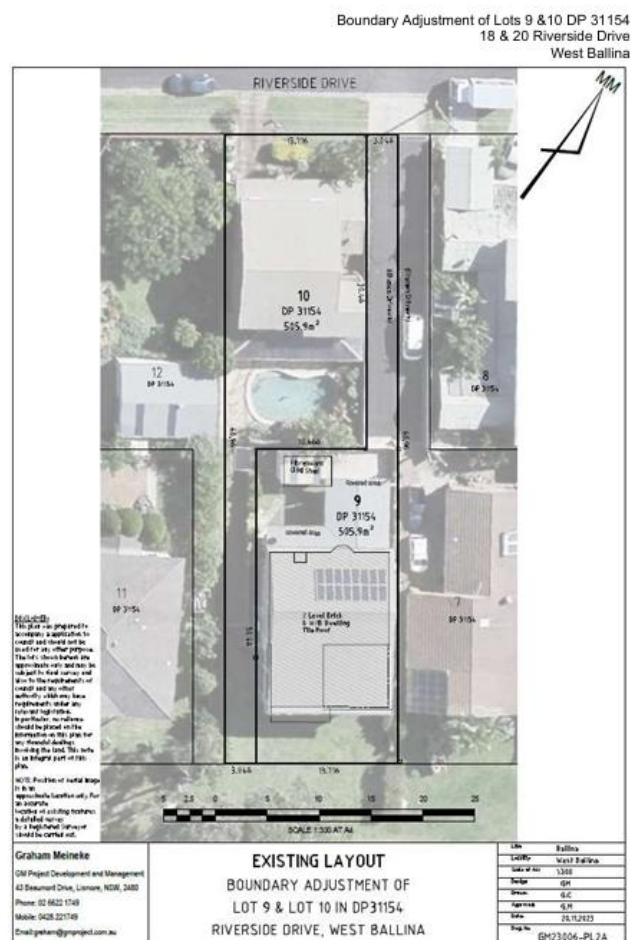
There will be a 114.1m² reduction in the lot size of Lot 10 resulting in this lot being 34.7% below the minimum lot size of 600m². The consolidation of the 114.1m² into Lot 9 will result in this lot being above the minimum lot size.

The associated internal boundary fencing will be relocated to reflect the altered lot configuration.

The existing and proposed lot sizes are as follows:

8.1 DA 2024/85 - 2 Lot Boundary Adjustment - 18-20 Riverside Drive, Ballina

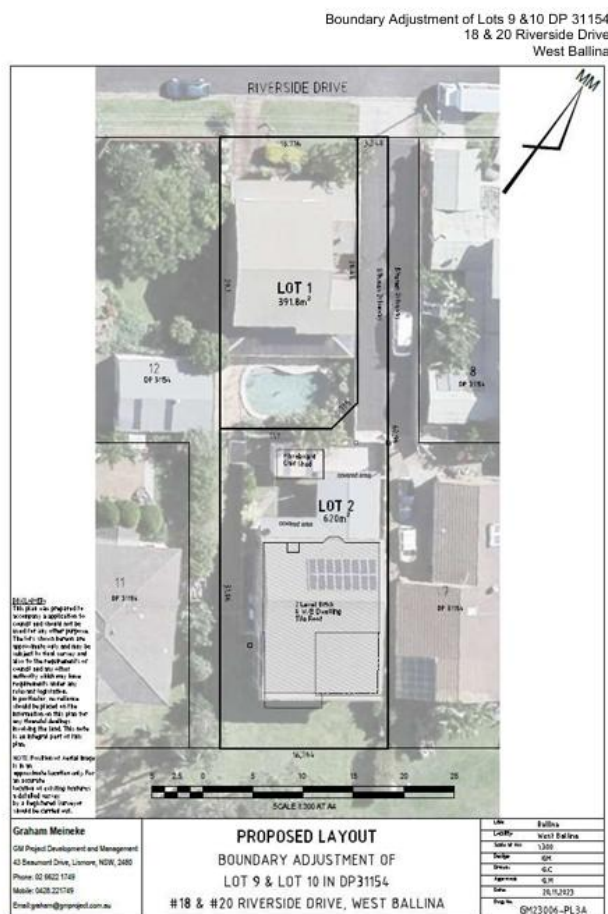
Lot / DP	Address	Land Area	Percentage of MLS
Lot 10 DP31154	20 Riverside Drive, Ballina	505.9m ²	84.32%
Lot 10 DP31154	18 Riverside Drive, Ballina	505.9m ²	84.32%
Proposed Lot 1	20 Riverside Drive, Ballina	391.8m ²	65.3%
Proposed Lot 2	18 Riverside Drive, Ballina	620m ²	103.33%



GM Project Development and Management
March 2024
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Figure 2 - Existing Lot Configuration

8.1 DA 2024/85 - 2 Lot Boundary Adjustment - 18-20 Riverside Drive, Ballina



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Figure 3 - Proposed Lot configuration

Reportable Political Donations

Details of known reportable political donations are as follows:

- Nil

Public Exhibition

The application was required to be publicly notified in accordance with Council's Community Participation Plan.

No public submissions were received.

Applicable Planning Instruments

The primary statutory instruments that are applicable to this proposal are:

- Section 4.15 Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Ballina Local Environmental Plan 2012
- Ballina Development Control Plan 2012

Report

The proposed development has been assessed under the heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979.

The assessment has identified the following key issues in relation to this development application.

- Proposed Lot 1 does not meet the minimum subdivision lot size development standard under clause 4.1 of the BLEP 2012.
- Relocation of existing essential services connections, in particular sewer services resulting from the altered internal boundary.

This report should be read in conjunction with the attached Section 4.15 assessment report (Attachment 2).

Section 4.15(1)(a)(i) provisions of any environmental planning instrument

Relevant State Environmental Planning Policies (SEPPs)	
<ul style="list-style-type: none">• SEPP (Resilience and Hazards) 2021	No issues are raised in relation to the relevant chapters of the SEPP. Refer to Attachment 2 for further comment and assessment.
Local Environmental Plans (LEPs)	
<ul style="list-style-type: none">• Ballina LEP 2012 (BLEP 2012)	<p>The proposal is consistent with the aims and objectives of the R2 Low Density Residential zone. The development is acceptable having regard for the relevant additional local provisions in the Plan.</p> <p>The development complies with the relevant development standards, with the exception of the minimum subdivision lot size (Clause 4.1) for which a written request has being lodged to justify the contravention.</p> <p>Refer to the assessment below of the proposed variation under Clause 4.6 of the Ballina LEP 2012 below.</p> <p>Refer to Attachment 2 for further comment and assessment of the other relevant provisions.</p>

Minimum Subdivision Lot Size

Clause 4.1 (Minimum Subdivision Lot Size) of the BLEP 2012 prescribes a minimum lot size of 600m² for the subject site.

The overall objective of Clause 4.1 is to ensure that subdivision is compatible with the character of the locality.

In the case of urban areas, the objectives of this clause are also to ensure that the subdivision pattern reflects and reinforces the current or planned subdivision pattern of the locality, and that lot configurations are suitable to enable development that is consistent with relevant development controls.

The excision of the 3m wide access handle from the northern lot, that currently provides the lot with access to the adjoining public land abutting the Richmond River does not alter the ability for the lot to accommodate the existing or future

residential redevelopment that is consistent with the relevant residential development controls.

Refer to Attachment 2 for an assessment against the proposed variation to the development standard and Attachment 4 for the applicant's Clause 4.6 variation request.

Section 4.15(1)(a)(ii) the provisions of any proposed instrument

Draft Environmental Planning Instruments or Planning Proposals	
<ul style="list-style-type: none">BSC PP 24/002	No issues raised with any draft environmental planning instruments or planning proposals. Refer to Attachment 2 for further comments.

Section 4.15(1)(a)(iii) provisions of any development control plan

Ballina Shire Development Control Plan 2012	
Chapter 2 – General and Environmental Considerations	<p>The proposed development is acceptable when assessed against the relevant provisions of Chapter 2 of the Ballina DCP 2012.</p> <p>There are no issues raised in this section that would specifically preclude the development from being granted development consent, subject to the imposition of conditions where relevant.</p> <p>Refer to the Attachment 2 for an assessment of the clauses that are relevant to this application.</p>
Chapter 3 – Urban Subdivision	<p>The proposed development is acceptable when assessed against the relevant provisions of Chapter 3 of the Ballina DCP 2012.</p> <p>There are no issues raised in this section that would specifically preclude the development from being granted development consent, subject to the imposition of conditions where relevant.</p> <p>Refer to the Attachment 2 for an assessment of the clauses that are relevant to this application.</p>
Chapter 4 – Residential and Tourist Development	<p>Both lots are improved by established residential development.</p> <p>No changes are proposed to the existing buildings in association with this application.</p> <p>Refer to the Attachment 2 for an assessment of the clauses that are relevant to this application.</p>

4.15 (1) (a) (iiia) – any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No issues raised.

4.15 (1) (b) – the likely impacts of that development

The proposal is not expected to result in adverse impacts on the environment or broader locality, subject to compliance with conditions. Refer to Attachment 2 for further assessment in relation to the likely impacts of the development.

4.15 (1) (c) – The suitability of the site for the development

The proposed lots have been designed and sized to accommodate the existing residential uses occurring on the site. The proposed subdivision will not adversely alter the desired character for the area. The site is therefore considered to be suitable for the development and the proposal will fit in the locality.

4.15 (1) (d) Any submission made in accordance with this Act or the Regulations?

No public submissions were received.

4.15(1) (e) The Public Interest

The proposal seeks consent for a two lot Torrens Title subdivision by way of a boundary adjustment within an established residential area of Ballina.

The subdivision layout has been designed to accommodate the existing residential uses occurring on the site.

The development will continue to provide two residential allotments that meet the housing needs of the community and assists in providing a variety of housing types in the area.

The development is generally consistent with the relevant development standards for urban subdivision and residential development under the BLEP 2012 and the DCP 2012.

The proposed departure from the minimum subdivision lot size will still achieve an acceptable level of residential amenity without unreasonably detracting from the streetscape or impacting on neighbouring developments.

Having regard for the matters outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979, the proposed development is in the public interest.

Conclusion

The application has been assessed having regard to the relevant matters for consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act 1979, including the provisions of the Ballina Local Environmental Plan 2012 and the Ballina Development Control Plan 2012.

The proposal is suitable within the locality, and it has been adequately demonstrated that the objectives of the minimum subdivision lot size standard for the subdivision of land are achieved despite the variation to Clause 4.1 Minimum Subdivision Lot Size of the BLEP 2012.

Options

Option 1 – Grant consent to the application

Council can approve the development application for the two lot Torrens Title Subdivision involving a boundary adjustment and associated changes to boundary fencing subject to standard conditions for this type of development and conditions foreshadowed in the Section 4.15 Assessment Report, including conditions as set out in Attachment 5.

This would be on the basis that Council is satisfied that the proposal has demonstrated that the objectives of the zone and objectives of the minimum subdivision lot size will be achieved despite the variation to the lot size standard.

Option 2 – Refuse the application

Council could determine the application by way of refusal. This option is not recommended given that:

- the assessment has concluded that the application generally meets the applicable planning requirements.
- the applicant's request for an exception to development standards relating to the minimum subdivision lot size for the development has demonstrated that strict compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.
- conditions can be imposed in this instance to suitably address potential impacts associated with the development.

If Council elects to determine this application by way of refusal, reasons for refusal should be embodied in the Council resolution.

RECOMMENDATIONS

1. That in relation to DA 2024/85 Council endorses the proposed variation to Clause 4.1 Minimum Subdivision Lot Size development standard to enable one lot to be created with a minimum lot size of 391.8m² (equating to a variation of 34.7% below the minimum lot size of 600m²) for the reasons outlined in this report.
2. That Development Application 2024/85 for a two lot Torrens Title Subdivision involving a boundary adjustment and associated changes to boundary fencing on Lot 9 DP 31154 and Lot 10 DP 31154, 18 and 20 Riverside Drive be **APPROVED** subject to the application of conditions contained in Attachment 5 and other standard conditions for this type of development.

Attachment(s)

1. DA 2024/85 - Locality Plan [⇒](#)
2. DA 2024/85 - 4.15 Assessment Report [⇒](#)
3. DA 2024/85 - Plan of Proposed Subdivision [⇒](#)
4. DA 2024/85 - Clause 4.6 Variation Request [⇒](#)
5. DA 2024/85 - Draft Conditions of Consent [⇒](#)

8.2 Fire Safety Inspection - 103 River Street, Ballina

Section Development Services

Objective To advise Council of a fire safety inspection report received from Fire and Rescue NSW

Background

Council has received a report from Fire and Rescue NSW (FRNSW) in relation to an inspection carried out at 103 River Street, Ballina (Australian Hotel) on 14 May 2025.

A copy of the report is included as Attachment 1.

This matter is reported to Council, as under Schedule 5, Part 8, Section 17(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act), this type of inspection report is to be tabled at the first available Council meeting.

The relevant section of the Act is as follows.

17 Inspection reports by fire brigades (cf previous s 121ZD)

(1) If the Commissioner of Fire and Rescue NSW carries out an inspection of a building under section 9.32 (Fire brigades inspection powers), the Commissioner must furnish to the council of the area in which the building is located—

(a) a report of the inspection, and

(b) if of the opinion that adequate provision for fire safety has not been made concerning the building, such recommendations as to the carrying out of work or the provision of fire safety and fire-fighting equipment as the Commissioner considers appropriate.

(2) A council must—

(a) table any report and recommendations it receives under this clause at the next meeting of the council, and

(b) at any meeting of the council held within 28 days after receiving the report and recommendations or at the next meeting of the council held after the tabling of the report and recommendations, whichever is the later, determine whether it will exercise its powers to give a fire safety order.

(3) A reference in subclause (2) to a meeting of a council does not include a reference to a special meeting of the council unless the special meeting is called for the purpose of tabling any report and recommendations or making any determination referred to in that subclause.

(4) A council must give notice of a determination under this clause to the Commissioner of Fire and Rescue NSW.

In summary, the inspection triggers a requirement for Council to consider the matters raised, determine if regulatory action is appropriate and make the information known to the elected Council (and the public by extension) through the Council meeting framework.

Key Issues

- Compliance with the Environmental Planning and Assessment Act.
- Fire safety and public risk
- Application of Council resources

Discussion

FRNSW has identified issues with the fire sprinkler system, sprinkler booster assembly, fire indicator panel, exit door latches, fire separating construction, exit travel distances, smoke alarms at the premises and that the Annual Fire Safety Statement property is not displayed.

FRNSW has recommended that Council review the report, conduct an inspection and address any other deficiencies identified.

FRNSW noted in their report that they had received photographs of some rectification works following their inspection.

The premises is subject to a Complying Development Certificate issued by a private certifier (Construction Certification Solutions Pty Ltd) on 9 February 2023.

An Occupation Certificate has not yet been received from the certifier for this development.

Council is currently seeking to inspect the premises, in conjunction with the Private Certifier, to determine what further action may be necessary.

In accordance with Schedule 5, Part 8, Section 17(2)(b) further advice will be provided to the July 2025 Ordinary meeting, clarifying whether a Fire Safety Order has, or will, be issued.

Delivery Program Strategy / Operational Plan Activity

This matter relates to Delivery Program Strategy CC1.2f of the Operational Plan to implement a fire safety certificate compliance program.

Community Engagement Strategy

No community engagement is required in relation to this matter.

Financial / Risk Considerations

This matter will be addressed utilising existing resources allocated to the Development Services Section.

Options

Council is currently seeking to inspect the premises in conjunction with the Private Certifier, to determine what actions may be necessary from Council.

This information is being reported to comply with the terms of the Environmental Planning and Assessment Act.

The matters arising will be assessed by Council's technical officers and advice provided on the intended approach with respect to the Fire Safety Order in further reporting.

No decision is currently required other than noting the contents of the report.

RECOMMENDATION

That Council notes the content of this report in relation to the Fire and Rescue NSW inspection of 103 River Street, Ballina, being the Australian Hotel.

Attachment(s)

1. FRNSW Inspection Report - Australian Hotel - 103 River Street Ballina [⇒](#)

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Section	Strategic Planning
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Objective	Outline to Council the results of an analysis of opportunities and constraints regarding changes to zoning to enable additional housing in the vicinity of Tintenbar.
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Background

At the December 2024 Ordinary meeting, Council endorsed a series of general amendments to the Ballina Local Environmental Plan 2012 (LEP 2012).

This included a change to the Dwelling Opportunities Reinstatement Map at Tintenbar. In connection with the consideration of this matter and potential for additional residential development in Tintenbar, Council resolved to undertake *'a constraints and opportunities analysis in relation to the potential for additional housing in the Tintenbar locality within the context of the Ballina Shire Local Growth Management Strategy and Local Strategic Planning Statement'*.

This report outlines the findings of the constraints and opportunities analysis undertaken. Key issues considered include reticulated sewer and water availability, flooding and other physical constraints and capacity of existing planned urban areas to meet projected population growth.

A Councillor briefing addressing the analysis was held on 6 May 2025.

This review has occurred alongside the review of Council's Growth Management Strategy (GMS) and Local Strategic Planning Statement (LSPS) which is nearing completion.

The GMS and LSPS include Council's residential land release areas and other land use planning priorities.

Key Issues

- Availability of unconstrained land in Tintenbar for housing
- Merits of additional housing in Tintenbar

Discussion

Dwelling Opportunity Reinstatement Maps

The Ballina Local Environmental Plan 2012 (LEP 2012) Dwelling Opportunity Reinstatement Maps identify land where Council records indicate historic dwelling entitlements exist.

Properties mapped generally constitute historic groups of lot holdings and clarify that a single dwelling entitlement exists over a group of lots.

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

The intention of the mapping is to preserve historic entitlements, which pre-date Ballina LEP 1987 and Ballina LEP 2012, with the principle being that if a landowner was legally entitled to apply for approval for a rural dwelling before those LEPs were enacted, that entitlement should remain.

Inclusion in the Dwelling Opportunity Reinstatement Maps relates only to a historic set of circumstances based on land ownership and does not imply strategic merit as to the suitability of a location or site for additional dwellings.

Site suitability is only assessed if a development application is lodged.

Figure 1 shows an extract of the Dwelling Opportunities Reinstatement Map with respect to Tintenbar.

Area 'C' shown on the map shaded purple will be removed because of the general amendments planning proposal adopted by Council in December 2024.

Area 'A' shown in pink has an existing dwelling constructed on it and so it can be removed from the map as part of a future LEP general amendment to reflect that the entitlement has been exhausted.

Area 'B' shown in green is vacant land on which a development application for a dwelling or dual occupancy could be lodged.

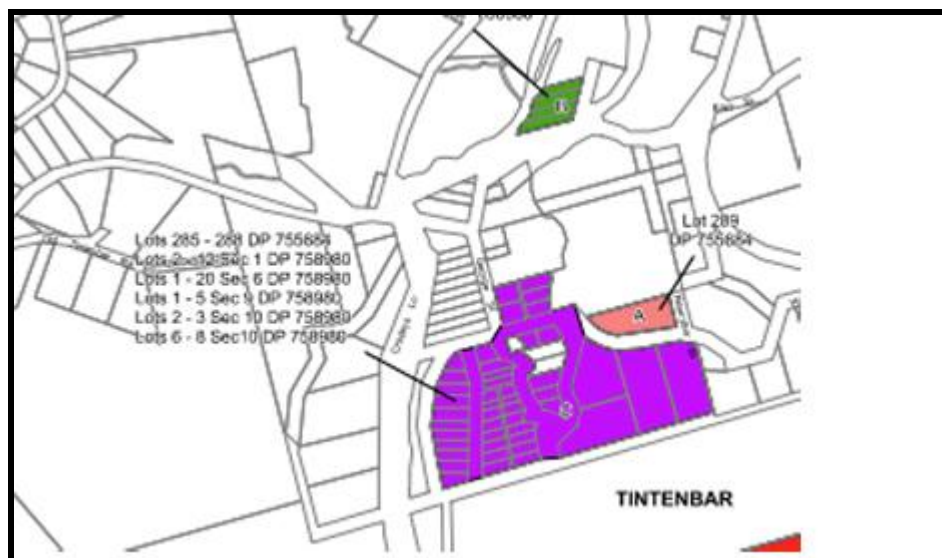


Figure 1: LEP Dwelling Opportunity Reinstatement Map - Tintenbar

The identified group of lots that formed area 'C' was previously in a single ownership. In recent years, several of these lots have been sold so the group of lots has been split up in ownership terms. The result is that the dwelling opportunity would be problematic to allocate as there is an equity issue in terms of which landholder receives the one entitlement applying to the group of lots.

The decision by Council to remove area 'C' from the Dwelling Opportunity Reinstatement Map in the LEP means that there is no longer any entitlement for a dwelling across the subject lots.

The amendment relating to area 'C' is now pending a final decision and completion by the Department of Planning, Housing and Infrastructure.

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Analysis of Future Dwelling Opportunities in Tintenbar

Council's December 2024 resolution seeks to determine the merit of allowing additional housing in the Tintenbar area based upon the environmental constraints and qualities of the land and its suitability for future residential development.

An analysis was undertaken by considering a wide range of land use planning constraints available in Council's Geographic Information System (GIS) databases including updated flood mapping, and through site visit observations undertaken by strategic planning staff.

The analysis covers an area of approximately 47 hectares bounded by Tamarind Drive to the east, Tintenbar Road to the north, Emigrant Creek to the west and an unformed road to the south.

This area is shown in Figure 2 and represents an area where historical subdivisions have occurred in the vicinity of the community hall and general store.



Figure 2: Tintenbar area of analysis

The entire site area is zoned RU1 Primary Production (RU1) with a minimum lot size for subdivision of 40 hectares.

Dual Occupancies are permitted with consent in the RU1 zone.

Existing Services and Housing in Tintenbar

The Tintenbar General Store and Community Hall are located on opposite corners of The Tintenbar Road / George Street intersection.

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

A mechanic is attached to the general store building and a medical centre including pathology services is located directly to the south.

A cluster of nine dwellings exist along George Street on lots varying from 1012m² to 4753m². A narrow bitumen road connects to Old Bangalow Road with minimal through traffic. The vacant low-lying land is clear of significant vegetation, with grasses and sparse tree cover. No agricultural activities (including grazing) were evident.

Another cluster of dwellings occurs around Hill Street / Newrybar Street which is a gravel road serving four existing dwellings at the top of the ridge. The old Tintenbar cemetery is located on Council owned land on the southern side of Hill Street which also provides an area of public open space.

Dwellings are generally on larger lots (up to 5.2ha), however, the subdivision pattern is inconsistent with irregular shaped lots including some small 'lifestyle' lots located adjacent to commercial agriculture.


The sloping land in the area is typically heavily forested including areas of mapped rainforest. Three dwellings are accessed directly from Tamarind Drive or Tintenbar Road.

Constraints and opportunities analysis

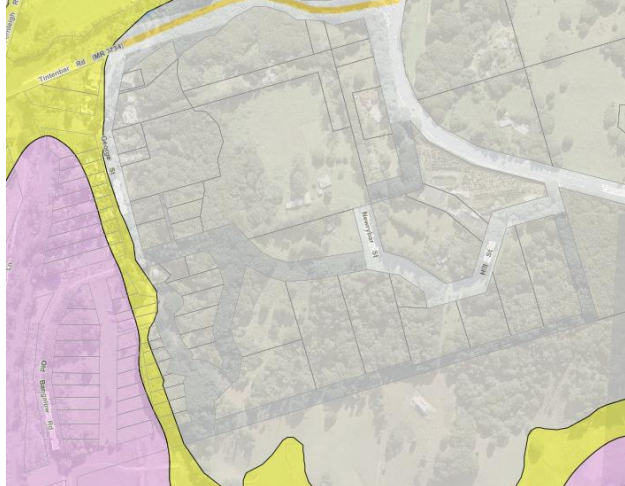
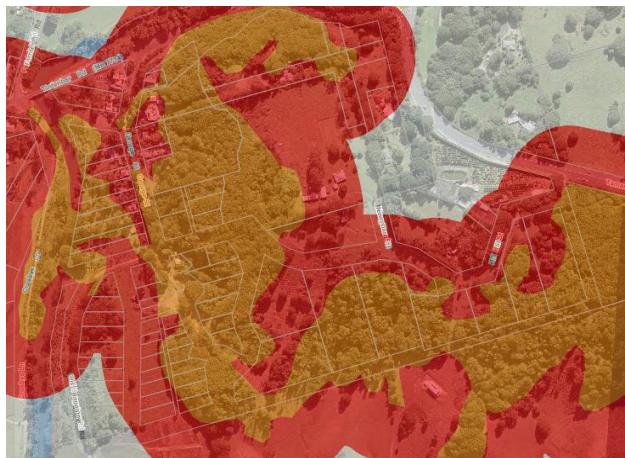

No reticulated water or wastewater services are available in the Tintenbar area. Essential Energy power poles are located throughout the site area, generally in the locality of existing dwellings.

Other key site constraints mapped in Council's GIS alongside comments from strategic planning staff are provided in Table 1 below:


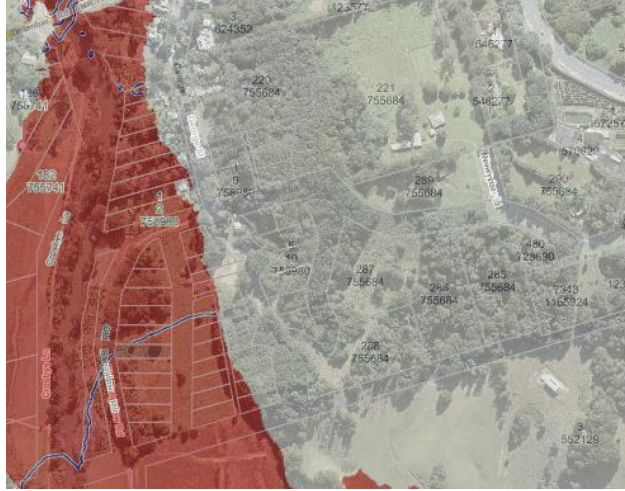

Table 1: Desktop assessment of land constraints and characteristics

Issue	Map	Comment
Contaminated Lands		<p>One property is identified on Council's contaminated land register, outlined in red on the map.</p> <p>Any future LEP amendment would require further assessment of potential contamination from historical land uses.</p>




8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Issue	Map	Comment
Acid Sulfate Soils		<p>The area between Emigrant Creek and George Street and directly south is identified as containing Class 3 and Class 5 Acid Sulphate Soils. Existing LEP controls are in place to manage works within these classifications.</p>
Bushfire prone land		<p>The area contains Category 1 bushfire vegetation and associated buffer areas.</p> <p>Development within mapped bushfire areas is governed by the RFS guide <i>Planning For Bushfire Protection (2019)</i></p>
Slope		<p>Contours within the site area are between 1m AHD at Emigrant Creek up to 79m AHD at the plateau of the hill. Very steep slopes of approximately 29% occur between George Street, Tintenbar Rd and the top of the hill.</p>

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Issue	Map	Comment
State and Regionally Significant Farmland		<p>Lower lying and less steep areas are mapped as Important Farmland (Regionally Significant) on the NSW state government's Important Farmland Map.</p>
Flooding		<p>Lower lying areas between Emigrant Creek and George Street and the vacant land to the south are impacted by flooding. Depths of 3.1 – 3.2m are indicated for a future 1% AEP flood event in Council's 2023 (draft) flood model. A flood height of 2.1m AHD is anticipated for a 20% AEP flood event.</p>
Biodiversity Values		<p>A small area to the south that feeds into Emigrant Creek is identified on the NSW Biodiversity values Map as an area of biodiverse riparian land. <i>The Biodiversity Conservation Act</i> provides controls for mapped areas.</p>

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Issue	Map	Comment
Koala Habitat		The site is within Council's Koala Planning Area (Plateau Precinct) and is mapped as containing areas of "other" (non-preferred) habitat. No planning controls apply.
River Catchments & Drainage		Two drainage lines flowing into Emigrant Creek are identified. The site is not within a drinking water catchment.
Coastal Management Areas		Emigrant Creek is tidal and therefore affected by state legislation for coastal management areas. Land within 600m of Emigrant Creek is mapped as either a Coastal Use or Coastal Environment area and development controls apply in the SEPP (Resilience and Hazards).

Conclusions

In the Hill Street / Newrybar Street area on top of the ridge, no further subdivision is appropriate due to potential conflict with existing agriculture, access and egress for bushfire management, slope and vegetation.

For the sloped land with access from Tamarind Drive, Tintenbar Road or George Street, no further dwellings are considered appropriate due to the significant slope and vegetation.

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Traffic volumes and sight distances on Tamarind Drive and Tintenbar Road would also need further investigation regarding the suitability of any additional driveways.

The low-lying land south of George Street has attributes that could make it suitable for a small number of additional dwellings.

However, the flood risk and anticipated heights of flood water for all modelled flood events mean there would be a significant risk to life and property and a high likelihood of SES rescue assistance during flood events.

This area is therefore regarded as unsuitable for future residential development.

The existing lots at the southern end of George Street (Lot 1 & 2 in Section 2 DP 758980) have a combined land area of 5387m² and do not have a dwelling entitlement as lots 1-4 of the same DP were once part of an 'existing holding' with one entitlement which has been utilised by Lots 3 and 4 to the north.

Along the western side of George Street, the settlement pattern consists of four dwellings over seven parcels (Lots 3-9 Section 2 DP 758980) with land areas varying from 1644m² to 4603m². All these dwellings are above the 1% AEP (annual exceedance probability) flood height that incorporates long term Climate Change projections.

Lots 1 and 2 of this same DP, outlined in black on Figure 3 below, contains a shed structure that is also above this flood height and was not impacted by the 2022 flood event.

Given the existing settlement pattern on George Street (consisting of a cluster of dwellings on smaller lots on a low-traffic sealed road) and the ability to walk to amenities (shop, medical centre and community hall), there is some merit in allowing an additional dwelling in this area.

The landowner of Lots 1 and 2 has made representations to Council about the possibility of achieving a dwelling entitlement so that the existing structure could be made habitable, or a new structure built.

This outcome could be achieved through a general amendment to the LEP 2012 that changes the minimum lot size for these two lots to 5000m² which would allow the lots to be consolidated to meet minimum lot size requirements under Clause 4.2A of LEP 2012.

A merit-based assessment could then be undertaken regarding suitability of on-site sewage management, bushfire protection and other relevant matters through a development application.

However, the risk in granting a dwelling entitlement under this option is that it is done in isolation of wider strategic consideration of similar situations across the shire. It could set a precedent for other rural property owners that do not have a dwelling entitlement to argue the merits of their site and to request a similar review and potential LEP amendment, in the absence of strategic consideration of the extent of similar situations and the impacts this may have on the shire more broadly.

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

For these reasons this option is not recommended and does not represent sound strategic planning of the shire.

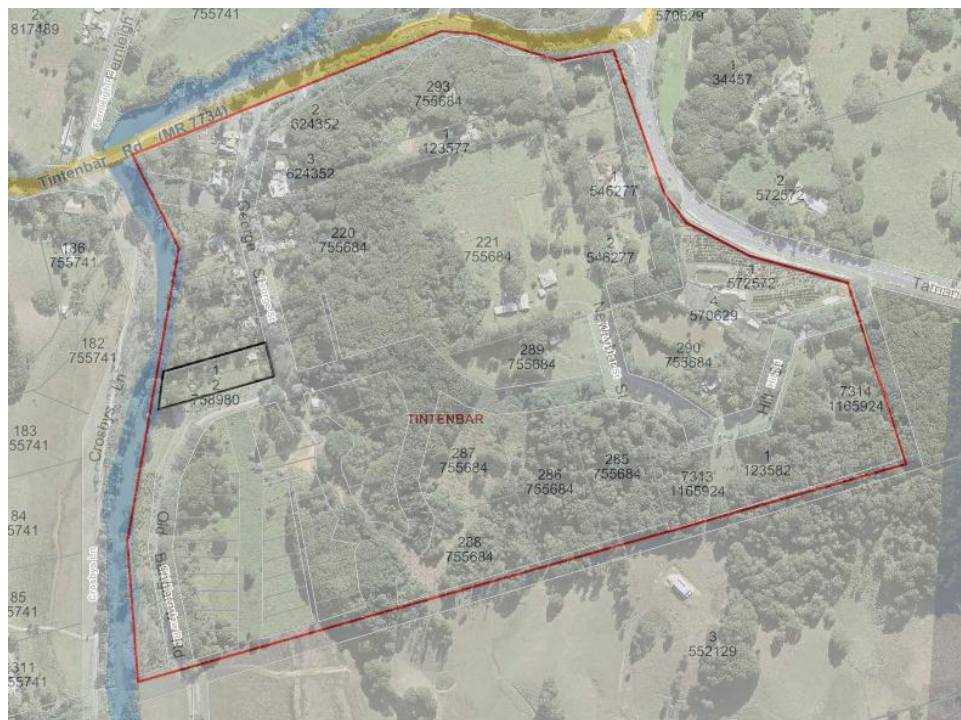


Figure 3: Lots 1 and 2 DP 758980, Tintenbar

Dual occupancies on existing properties are permissible with consent and may be appropriate in some circumstances, particularly on properties along Hill Street / Newrybar Drive, which would provide additional housing at Tintenbar.

Local Growth Management Strategy, Local Strategic Planning Statement and Housing Strategy

The Local Growth Management Strategy (GMS), Local Strategic Planning Statement (LSPS) and Housing Strategy are land use strategies adopted by Council to guide future residential and employment land release areas.

The assessment of Tintenbar for potential additional housing was undertaken as a result of a resolution of Council, which specified it be considered in the context of the review of the GMS and LSPS, which is to be reported to Council in the near future.

A similar constraints and opportunities exercise is not recommended for other rural hamlets.

Tintenbar, Newrybar, Fernleigh, Meerscham Vale, Rous, Rous Mill, South Ballina, Empire Vale / Keith Hall and Patchs Beach are identified in Council's Rural Settlement Character Statements (2014) and the principle that these areas are protected primarily for agricultural use and not for housing growth is reflected in the current LSPS and GMS.

The draft LSPS to be reported to Council and then placed on public exhibition for community feedback reflects Council's current position on where residential growth should occur and (subject to Council's endorsement) has planning priorities in relation to rural land recommending that Council:

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

- *Maintain the character and settlement pattern of existing village hamlets and protect rural vistas, (and)*
- *Protect productive agricultural land and encourage on-farm diversification.*

Delivery Program Strategy / Operational Plan Activity

The Delivery Program and Operational Plan (2024-2028) contains the following action to be undertaken in 2024/2025:

Review Local Strategic Planning Statement to incorporate updated local growth management strategy. (HE3.1g)

The update of the Local Strategic Planning Statement (LSPS) will reflect Council's decision on future housing opportunities in Tintenbar.

Community Engagement Strategy

No community consultation has been undertaken as part of the constraints and opportunities analysis.

Community consultation will be undertaken as part of the review of the LSPS, with a requirement in the *Community Participation Plan* that it be exhibited for a minimum of 28 days.

Financial / Risk Considerations

There are no financial costs or risk to Council for either of the options presented below. If Council supports an amendment of the LEP to enable an additional dwelling opportunity, any costs associated with the processing of the planning proposal will be required to be met by the landowner as specified in council's *Fees and Charges*.

Options

Option 1 – Maintain the status quo and do not facilitate any additional dwelling opportunities at Tintenbar.

This is the recommended option for the reasons outlined within this report.

Option 2 – Enable one more dwelling opportunity in Tintenbar at Lots 1 & 2 DP 758980.

Under this option Council would support an amendment to the LEP to enable a dwelling on Lots 1 and 2 DP 755980.

The landowner would undertake the work required to support a future general LEP amendment planning proposal, including payment of relevant Council fees and any required consultants' reports.

However, the option is not recommended as it has not been considered within a wider whole-of-shire strategic context.

8.3 Tintenbar - Constraints and Opportunities - Additional Housing

Allowing an additional dwelling entitlement based upon the merits of the site could set a precedent and open Council to requests from other rural landowners with lots that do not have a dwelling entitlement to consider their individual sites.

This will likely create a situation that generates high demand on Council resources and is extremely difficult to manage.

This type of approach is also inconsistent with Council's strategic planning direction in the current Local Strategic Planning Statement and Growth Management Strategy, and the draft LSPS (which is to be reported to Council).

Option 3 – Identify Tintenbar as a potential area for additional housing.

The analysis completed does not support Tintenbar as a priority location for provision of additional housing.

Further, the constraints applicable to the land mean that any attempt to increase dwelling potential beyond what is already enabled will be unlikely to yield a significant benefit from a shire wide strategic planning perspective.

This option is not recommended.

RECOMMENDATION

That Council notes this report on the findings of the constraints and opportunities analysis for additional housing at Tintenbar, and based on the contents of the report, no further action is to be undertaken due to the inconsistency that would exist with Council's Strategic Land Use Planning for the Ballina Shire.

Attachment(s)

Nil

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Section Strategic Planning

Objective To report on the status of Local Environmental Plan amendments and planning proposals that are currently under consideration.

Background

Council has an ongoing program of processing amendments to the Ballina Local Environmental Plan 2012 and where necessary, Ballina LEP 1987 and associated planning proposals.

This report provides an update on pending LEP amendments.

Key Issues

- Status of rezoning and LEP amendment requests

Discussion

LEP Amendment Requests and Planning Proposals Status

Table 1 provides an overview of the LEP amendment requests and planning proposals currently being considered and processed by Council and those finalised since the last update report was provided.

The term planning proposal refers to the documentation prepared to describe a Council or proponent-initiated proposal to amend the Ballina Local Environmental Plan/s.

Proposals are typically referred to as planning proposals once Council has agreed to progress the initial LEP amendment proposal and has prepared the required planning proposal documentation for Gateway determination by the NSW Department of Planning, Housing and Infrastructure (DPHI).

Table 1: Status of LEP amendment requests and planning proposals

Item	Name and Status	Summary and Notes	Completion Due
24/002	General amendments to the LEP (Stage 7)	<p>Council initiated LEP amendment package that involves a review of various aspects of the LEP in response to development issues, operational considerations, and Court decisions.</p> <p>Council resolved to seek a Gateway determination from DPHI in August 2024. The DPHI issued the Gateway determination on 26 August 2024. Public exhibition of the proposal was completed in November 2024.</p> <p>At its Ordinary meeting on 12 December 2024, Council considered submissions and resolved to finalise the planning proposal. The planning proposal is currently being finalised by the DPHI.</p>	26 May 2025

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
24/004	Aureus Village Rezoning (Stage 3)	<p>Proposal to rezone part of Aureus Village (neighbourhood commercial centre site) at 21 Aureus Boulevard, Skennars Head (Lot 346 DP1271483) from E1 Local Centre to R3 Medium Density Residential.</p> <p>The proposal was submitted on 3 October 2024 requesting Council's endorsement to proceed to a Gateway determination. At its Ordinary meeting on 12 December 2024 Council resolved to endorse the planning proposal for purposes of seeking a Gateway determination, subject to completion of a draft planning agreement.</p> <p>The draft planning agreement is nearing finalisation and the planning proposal will be forwarded to the DPHI for a Gateway determination once the agreement is finalised.</p>	#
24/005	Relocation of commercial zone in CURA B precinct, Kinvara (Stage 2)	<p>A planning proposal was submitted on 6 November 2024 to amend the LEP to relocate the existing E1 Local Centre zone to a different location in the Cumbalum B Precinct at Kinvara.</p> <p>The new site is consistent with the Cumbalum B Precinct DCP Structure Plan adopted by Council in August 2024. Additional information about the proposal was requested in December 2024.</p> <p>A report on the planning proposal will be presented to Council when the information is received.</p>	#
24/006	Intrapac Sheather Land (Cumbalum Precinct A) (Stage 3)	<p>A planning proposal was submitted on 13 November 2024 to rezone land on the western edge of Banyan Hill Estate (Stage 17), Cumbalum Urban Release Area A, to enable residential subdivision.</p> <p>The proposal was to rezone approximately 9.7ha from RU1 Primary Production and RU2 Rural Landscape to R3 Medium Density Residential and amend the minimum lot size from 40ha to 450m². This was the third planning proposal for this site lodged since December 2022.</p> <p>The previous planning proposals did not proceed due to deficiencies in the submitted supporting information.</p> <p>A Councillor briefing was held on 4 March 2025 to discuss the planning proposal and a report on the proposal presented to the 24 April 2025 Ordinary meeting of Council.</p> <p>Council resolved to seek a Gateway determination for an amended planning proposal to rezone the land to R3 Medium Density Residential and R2 Low Density Residential and apply Minimum Lot Sizes of 450m² and 800m² and 1200m².</p> <p>The proposal has been forwarded to DPHI for a Gateway Determination.</p>	#
25/001	General Amendments to the LEP (Stage 2)	<p>This is a Council initiated LEP amendment package that involves a review of various aspects of the LEP in response to Council development proposals and operational considerations. A report on this package of amendments will be presented to the July or August 2025 ordinary meeting for the purposes of seeking a Gateway determination.</p>	#

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
25/002	305 The Coast Road, Skennars Head (Stage 2)	A planning proposal was submitted on 26 February 2025 to rezone part of 305 The Coast Road, Skennars Head (Lot 7 DP 1225206) from Deferred Matter to C2 Environmental Conservation (C2) and C3 Environmental Management and to prohibit development of a dwelling on the C2 zoned part of the site on the eastern side of The Coast Road. Additional information has been sought from the proponent and the proposal will be reported to Council when the information is received.	#
25/003	Employment land - 2 and 14 Dulcet and part 13 Kays Lane, Alstonville (Stage 1)	A scoping proposal has been lodged for preliminary consideration of rezoning land at 2 and 14 Dulcet Lane and part of 13 Kays Lane, Alstonville for employment / industrial purposes. The land adjoins the Russelton Industrial Estate on the eastern side and is currently zoned for rural purposes. The proposal is in the early stages of assessment by staff.	#
#	Employment land – Kerr Street Ballina	A scoping proposal has been lodged for an initial consideration of rezoning of the Amart furniture store site and several adjacent lots from R2 Low Density Residential to E3 Productivity Support zone. The proposal is currently being assessed by staff.	
<p>LEP Amendment Request/Planning Proposal Processing Stages</p> <ol style="list-style-type: none"> 1. Initial Concept - Proponent submits initial amendment concept for review and reporting to the Council. 2. Planning Proposal - Preparation of a planning proposal for the Council's consideration (if the initial concept is supported by the Council). 3. Gateway Determination - DPHI determination as to whether the planning proposal may proceed (if the Council resolves to submit the planning proposal for determination). 4. Study Preparation - Relevant technical information to enable complete assessment compiled and considered. This step may also involve pre-exhibition public authority consultation. 5. Community Consultation - Planning proposal and associated technical assessment material exhibited for public comment. 5a. Public Hearing - Public Hearing held, where required. 6. Submissions Assessment and Council Decision - Reporting of community consultation outcomes and Council decision regarding finalisation of the planning proposal. 7. Finalisation - DPHI finalisation (or Council finalisation under delegation) of the LEP amendment based on the planning proposal. Note: the Minister for Planning may finalise, alter or terminate the amendment. <p># Denotes proposal number and due date subject to Gateway determination.</p> <p>The completion due date is a date determined by the Department of Planning, Housing and Infrastructure.</p>			

Delivery Program Strategy / Operational Plan Activity

Processing of LEP amendment requests and planning proposals is identified in Council's adopted Delivery Program and Operational Plan as follows:

- Strategy HE3.1 – Implement plans that balance the built environment with the natural environment.
- Activity HE3.1f – Maintain Local Environmental Plan (LEP).

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Community Engagement Strategy

Community engagement in accordance with Council's Community Participation Plan and Gateway determinations issued by the DPHI has been, or will be, undertaken in relation to individual planning proposals.

Financial / Risk Considerations

The work program associated with LEP amendment requests and planning proposals is undertaken within existing resources.

Fees are applied to external requests for amendments to the LEP and processing of subsequent planning proposals in accordance with Council's fees and charges.

Options

The status of the LEP amendments and planning proposals outlined is provided for information.

RECOMMENDATION

That Council notes the contents of this status report on LEP amendments and planning proposals.

Attachment(s)

Nil

8.5 Meldrum Park - Playground Renewal

8.5 Meldrum Park - Playground Renewal

Section Open Spaces

Objective To present the results of community consultation and a concept for a new playground in Meldrum Park

Background

The playground at Meldrum Park has been identified for renewal under Council's works program for playground management.

Renewal of the playground was considered by Council in 2022 and 2023, with Council resolving as follows at the 25 May 2023 Ordinary meeting:

- 1. That Council notes the contents of the community feedback as per Attachments 3 and 4 to this report and not proceed with Options A or B as presented in this report.*
- 2. That further community consultation is undertaken that allows community members to provide input into the design process on playground options for Meldrum Park that includes the provision of shade structures and helps to maintain the current aesthetic nature of Meldrum Park as well as provide an enhanced playground experience.*
- 3. That a disabled parking space and access be constructed at Meldrum Park.*

In line with point 1 the playground has not yet been replaced.

A disabled parking space and access improvements to Meldrum Park were completed in 2024/25.

The original feedback that informed the 25 May 2023 resolution included 153 responses to an exhibition of design options from 5 August 2022 to 28 November 2022. Council also received other correspondence from residents post the formal consultation period.

Further community consultation was carried out from 23 December 2024 to 3 April 2025 in accordance with point 2 of the May 2023 resolution.

The additional consultation plan and survey, along with design ideas, were developed having regard for the original feedback received.

Key issues included the style of the play equipment, the need for a shade structure and the nature of what can be delivered on the site for the budget.

A broad scale challenge at present, is very high levels of community expectation around the style of equipment, the number of play elements and the scale of playgrounds.

There is a growing expectation for large scale playgrounds, with unique and varied equipment.

Key Issues

- Shade over playgrounds
- Scale of equipment and budget
- Safety

Discussion

The further community consultation undertaken in relation to the playground equipment at Meldrum Park, involved signage on site with an invitation for feedback.

Signage also included a link to a survey, to engage people that regularly attend the site, as well as visitors.

Notification letters were sent to residents within the playground catchment, to ensure the community closest to the park were informed and able to comment on the future of the playground.

The online survey included questions designed to allow the community to provide input into the design inclusions, materials and themes for the new playground and preferences for the provision of shade.

The survey also collected respondent details.

This included demographic data and information on the use of Meldrum Park, understanding of the site and interest in the upgrade of the playground.

The online platform included the ability for respondents to upload pictures of what they would like to see and encouraged the engagement of children with the ability to submit a picture, or drawing.

The survey received 68 responses that provided the data included in Attachments 1 and 2 to this report.

The following sections summarise the feedback.

Preferred Type of Playground Equipment

Some feedback from the previous consultation was that providing two design options was not sufficient consultation, even though this was consistent with the identified consultation for this level of playground in Council's adopted Playground Upgrade and Management Plan.

To provide the community with the opportunity for greater input into the type of equipment to be included in the design, the survey referenced a range of equipment types suitable for the site that respondents could select from, as well as an open field where respondents could suggest something different.

The types of play equipment that the community would most like to see when asked to identify their three preferred items included in the new playground design by order of preference are as follows:

8.5 Meldrum Park - Playground Renewal

1. Swings (47)
2. Slides (41)
3. Climbing structures/ Bouldering (19)
4. Climbing nets (18)
5. Obstacle Course or Towers / Forts (17 each)
6. Carousel / Spinners (16)
7. Cubby hut (13)
8. Other (10)
9. Rocker / See-Saw (4)

Items requested through the 'Other' option included:

- Monkey Bars (2)
- Supernova Spinner
- Mini trampoline
- Flying fox
- Accessible Slide/Carousel (2)
- Water park/ Splash zone (3)

Type of Swing

Respondents were also asked to identify their preferred type of swing seat. The response preferences identified the following:

1. Standard (40)
2. Baby/toddler capsule (28)
3. Basket (23)
4. Child and parent/You&Me (16)
5. Other (4) - Includes 3x Basket seat references and Inclusive Bucket, high back, harness seats.

This is consistent with Council's typical approach to include, as a minimum, a basket swing in new playgrounds, or a combination set that includes a basket swing, capsule and standard seat where possible.

There were also some references to the need for more than the standard number of swings and in particular capsule seats, to cater for more families with small children at once.

Theme, Inspiration and Materials

Respondents were asked to provide feedback as to their ideas, or preference, for a theme or concept the playground could be designed around including inspirations and preferred materials.

The ability to upload images was included in the survey so that children could submit drawings or people could add pictures representing their preference.

The pictures received are included as Attachment 3.

The themes identified through the submissions are summarised into the following categories and number of references:

8.5 Meldrum Park - Playground Renewal

1. Natural materials / Like Ocean Breeze Reserve Playground (17)
2. River / Ocean / Seaside / Surf / Sealife (17)
3. Nature / Flora and Fauna (8)
4. Maritime / Boats / Pirates (6)
5. Inclusive / Accessible / All Ages (5)
6. Aboriginal Cultural (5)
7. Multi-stage / Regional Level / Like Pop Denison Park and larger playgrounds up the coast (5)
8. Water Play / Splash Zone (5)
9. Healthy Active Families / Fitness / Obstacle Course (4)
10. Cycling Education Park / Bike Track / Pump Track (3)
11. Challenging (3)
12. Simple (3)
13. Modern Materials
14. Space

Shade Provision

The provision of shade over playgrounds is an adopted priority for Council and was a key point of discussion when the playground upgrade was considered in 2022 and 2023.

The survey aimed to identify the community's preference regarding the inclusion of shade.

The preferred provision of shade with a new playground from the survey in order are:

1. Provide a shade sail structure and additional trees with the new playground (23)
2. Provide a shade sail structure over the new playground (19)
3. Provide additional shade trees with the design for the new playground (11)
4. Nothing, the existing trees and shelters provide enough shade (10)
5. Provide additional picnic shelters adjoining the playground (5)

The preference expressed through the consultation for the new playground is to include a shade sail structure and additional trees with the new playground.

The location of the playground and ability to construct it in accordance with relevant standards and legislative requirements needs to be considered within the constraints of the site and with consideration for risk and safety.

This includes the protection of existing trees, critical infrastructure and services located within the park.

Installation of shade structures and trees at new playgrounds, where there is no existing adequate natural shade, is the current policy as expressed within the Playground Upgrade and Management Plan.

8.5 Meldrum Park - Playground Renewal

Practically, the ability to provide shade and the type of shade to be installed are determined during the design of each individual playground area, to suit the space and environmental conditions of the location using the current best designs and materials available.

The space available at Meldrum Park, where a new playground can be constructed, contains existing trees and services that require offset both above and below ground to remain compliant with standards for the protection of trees and critical infrastructure.

This limits the practical locations available to construct the playground, and particularly a shade sail structure over it.

Achieving a compliant offset to protect trees and service infrastructure will increase the difficulty and cost associated with the design and construction of a shade sail structure over the playground, with the anticipated dimensions requiring engineered footings and construction capable of withstanding the coastal wind loads for the site.

Consultation Summary

The additional community consultation and opportunity to provide more input into the design of the playground has yielded responses consistent with the broad feedback that Council has been receiving about playgrounds in the last few years.

Swings, slides and climbing features are the most desired features for all playgrounds. As is more variety, something for as wide an age range as possible, and inclusive accessible designs are desired with every playground design.

The use of natural materials, nature play opportunities and the request for timber equipment, have also been increasingly popular in community feedback.

In the case of Meldrum Park, the key challenge is balancing the overall aspirations expressed in the feedback, with the characteristics of the site and the budget.

Based on the combined feedback and with a focus on the most recent survey and more specific community input, the following elements are recommended as the basis for the playground upgrade:

- Swings (including at least a standard, capsule and basket swing)
- Slide
- Climbing feature
- Be made with natural materials
- Incorporate a local aquatic theme
- Additional shade trees.

In terms of a shade structure, this is not recommended due to the difficulty of balancing the characteristics of the site (including existing tree cover), the cost of a shade sail and the budget available for the playground equipment.

8.5 Meldrum Park - Playground Renewal

There is however an option to consider should a shade structure be preferred.

Two concept plans are included in Attachment 4, as a guide to the location, type and scale of equipment that could be installed based on the allocated budget.

This will be refined having regard for Council's resolution, and formal pricing and procurement based on detailed design and engineering requirements.

Concept 1

Concept 1 is based on the inclusion of a shade sail structure over the equipment.

The design features a timber combination swing that includes a basket swing, standard and capsule swing seats, with a tower and climber structure with slide.

The shade structure and location of additional shade trees will need to be designed and engineered based on a final design for the site and work around the protection of existing subsurface services and conditions.

The estimate to install a shade sail over the playground in this location, is a significant portion of the allocated budget, and will have constraints on how it can be designed and constructed at the site.

Concept 2

Concept 2 is based on no shade sail structure over the playground but includes planting of additional shade trees.

It includes the same timber combination swing (basket swing, standard and capsule swing seats), tower and climber structure with slide as concept 1.

The equipment set includes the addition of an accessible boat feature to respond to the river/nautical theme feedback and a balance beam.

Not including a shade structure over the playground will make a significant financial difference and provide opportunity for additional equipment along with additional shade trees, features to provide river/ocean theme elements and other associated landscape improvements to the park.

It is recommended that Council proceeds with concept 2 on the basis that it provides a reasonable balance between community preferences, local resident concerns, and management of site constraints and opportunities.

Delivery Program Strategy / Operational Plan Activity

The upgrade of Meldrum Park playground is an identified capital works project in the Delivery Program and Operational Plan 2024-2028.

It also aligns with the Delivery Program Strategy – Connected Community - CC3.2 Provide young people with a range of leisure activities – Action C3.2b – Implement Playground Upgrade and Management Plan (PUMP).

Community Engagement Strategy

The community engagement plan for this project included a range of media to inform people of the project and request their input:

- Information Published on the Council website
- Online Survey
- Letterbox Drop to residents within the target catchment
- Signage onsite with links to online content
- Media Release

Something for Council to consider is the balance between the engagement and delivery of playground related capital works.

The level of community expectation around playground replacements is changing, with increasing demand for more equipment, unique equipment, use of timber and larger scale facilities.

Some of these expectations are unrealistic to achieve in terms of existing capital budgets allocated to playground replacement, maintenance budgets and available space.

Financial / Risk Considerations

Meldrum Park has \$170,000 identified in the Delivery Program and Operational Plan for 2024/25.

This budget will be deferred to 2025/26 to enable implementation of Council's preferred design approach.

The design development and procurement for the construction of the new playground will be undertaken based on the available budget, having regard for legislative requirements, protection of environmental values at the site and safety and risk management.

Options

Option 1

That Council endorses installation of a playground based on the indicative layout and type of inclusions for the attached concept 2.

This design is based on timber equipment that includes a combination swing with a basket swing, standard and capsule swing seats, a tower and climber structure with slide, river/ocean themed equipment like a boat and other natural features and landscaping.

Shade is to be provided through existing trees and the planting of additional large stock trees around the playground.

This is the recommended approach.

8.5 Meldrum Park - Playground Renewal

Option 2

That Council endorses installation of a playground based on the indicative layout and type of inclusions for the attached concept 1.

This design is based on timber equipment that includes a combination swing with a basket swing, standard and capsule swing seats, a tower and climber structure with slide.

Shade is to be provided by a shade sail structure over the playground.

This approach is not recommended, as existing and new vegetation is expected to provide a reasonable level of shade cover at different times of the day to the playground area, and the installation of a shade sail significantly reduces the budget available for play equipment.

RECOMMENDATION

That Council endorses the installation of a playground at Meldrum Park, as per Option 1 of this report, with the indicative layout and inclusions set out in Concept 2, as per Attachment 4 to this report, including acknowledgement that playground shade will be provided by existing vegetation and new tree plantings, with no shade sail structure to be constructed.

Attachment(s)

1. Meldrum Park Playground Renewal - Summary Report - Your Say Ballina [⇒](#)
2. Meldrum Park Playground Renewal - Survey Responses - Your Say Ballina [⇒](#)
3. Meldrum Park Playground Renewal - Survey - Inspiration Images [⇒](#)
4. Meldrum Park Playground Renewal - Concepts [⇒](#)

8.6 Policy (Reviews) - Festivals and Events Support Program

Section Open Spaces

Objective To undertake a review of the Festival and Events policies.

Background

The purpose of this report is to review the Festival and Events (both Commercial and Community) Sponsorship policies.

Council first adopted the Festival and Events (Community Events) Policy in 2010.

The Festival and Events (Commercial Events) Policy was adopted as a stand-alone policy in 2017, primarily as Council was receiving proposals from commercial event organisers, and it was important to distinguish between community and commercial events.

The two policies were last reviewed in May 2024 and are not due for review until May 2028.

However, when the annual festival and events funding was allocated at the 12 December 2024 Ordinary meeting, Council also resolved as follows:

2. That Council receives a report evaluating the current model of allocating funding.

This report responds to that resolution and copies of the existing policies can be found on Council's website at [Council Policies | Ballina Shire Council](#).

Key Issues

- Whether the policies meet the requirements of Council and current legislation
- Equitable and improved process for organisations seeking event support
- Adequacy of existing budget

Discussion

Based on the review of the policies, and their current operation, it is recommended that the two policies are combined into a single policy.

Other changes included relate to the addition of several principles and applicant eligibility criteria to better guide the framework for evaluation of proposals and decisions on funding.

The changes are based on the primary intent of the policy being to support substantial events that have broad appeal to residents across the shire, have a basis for encouraging visitors from outside the local government area and demonstrate economic and community benefits.

8.6 Policy (Reviews) - Festivals and Events Support Program

The policy sets out a framework to undertake an assessment of funding requests.

The subsequent report to Council will then set out recommendations in line with the policy.

Councillor briefings are not proposed to be held prior to the Council report, as the policy will guide the assessment and recommendations.

The proposed changes have been marked in yellow in the revised policy, included as Attachment 1 to this report.

The changes are designed to address the 12 December 2024 resolution.

Otherwise, the policy is still considered to be contemporary and reflects current legislation and no further changes are recommended.

Delivery Program Strategy / Operational Plan Activity

Council's festivals and events program is consistent with the following aspects of Council's Delivery Program and Operational Plan:

Direction outcome CC2 – We Feel Connected to the Community.

Action CC2.1 – Create events and activities that promote interaction, education, as well as a sense of place.

Community Engagement Strategy

It is recommended that Council adopt the policy as presented, however the document will also be exhibited for public comment.

If any submissions are received, they can be reported back to Council however there will not be a need for any further report, if there is no public comment.

Financial / Risk Considerations

The Festival and Event Sponsorship Program is identified in Council's Delivery Program and Operational Plan and Long-Term Financial Plan.

A \$150,000 budget is currently allocated for 2025/26, with \$5,000 of that funding now allocated to a new Community Connections Event, as per a resolution from the 22 May 2025 Ordinary meeting.

Council has received consistent feedback from organisers regarding the adequacy of available funding and the need for more funding.

Council's allocation for events is lower than Tweed, Byron and Lismore councils, and this reflects Council's comparatively low level of rate income compared to those councils.

There is then the equity debate as to how much funding should be allocated to events, when there are so many other competing priorities for scarce Council funds.

8.6 Policy (Reviews) - Festivals and Events Support Program

Event organisers have continued to highlight increased costs of insurance, equipment hire and general running costs.

Options

Council may accept or amend the proposed changes to the combination of these policies.

The recommendation is to adopt the combined policy, as it will help to improve the existing process of allocating funds to events.

Even with this updated assessment process, it will still be a matter for the elected Council to endorse the final allocation of funding at a Council ordinary meeting.

It is also recommended to exhibit the policy for public comment, and if no submissions are received from the exhibition process, no further action is required.

RECOMMENDATIONS

1. That Council adopts the amended Festival and Events Support Program Policy, as per Attachment 1 to this report, with this policy replacing the two existing policies, i.e. Festival and Events (Commercial and Community).
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.

Attachment(s)

1. Policy (New) - Festivals and Events Support Program [↗](#)

8.7 Policy (Review) - Private Swimming Pool Barrier Fencing

8.7 Policy (Review) - Private Swimming Pool Barrier Fencing

Section Development Services

Objective To review Council's Private Swimming Pool Barrier Fencing Policy.

Background

All of Council's existing policies are progressively reviewed to ensure they reflect contemporary practices and legislative requirements. The purpose of this report is to review the Private Swimming Pool Barrier Fencing Policy.

Council first adopted this policy in January 2019.

The policy identifies Council's approach to meeting its legal obligations under the Swimming Pools Act 1992 (NSW) ('the Act') and guide how the associated procedures enable the implementation of the policy.

Key Issues

- Whether the policy meets the requirements of Council and current legislation

Discussion

The Act and associated Swimming Pools Regulation 2018 have not been amended since the adoption of the current version of this policy.

Likewise, the relevant Australian Standards, to which barriers are required to comply with, have not been amended or superseded since that time.

The review of this policy has identified only minor changes as follows:

- The inclusion of a reference to compliance actions that may be undertaken where voluntary compliance is not able to be achieved within a reasonable period.
- The addition of provisions for Council to require barriers to be upgraded, where it is suspected that there may be higher than normal risk of barriers, in a particular locality being non-compliant due to their location and/or other circumstances.

Of concern are waterfront properties, particularly those in the Ballia Quays Estate, with a rear frontage to a canal that were impacted by the 2022 flood event.

The circumstances that place these properties at a higher risk are:

- a) Waterfront pools constructed prior to 1 July 2010 not required to be fully surrounded by a barrier and can pose a greater risk than non-waterfront pools constructed in the same period.

8.7 Policy (Review) - Private Swimming Pool Barrier Fencing

- b) pool barriers may have been damaged by flooding or rebuilding may have altered the barrier
- c) damaged barriers may have been repaired or replaced because of flood damage

Clause 31 of the Swimming Pool Regulation 2018 requires that pools with barriers that do not meet the current standard for construction, are to be upgraded to the current requirements if they are substantially altered or rebuilt.

Issues that will need to be considered in any targeted upgrade strategy include:

- the resources needed to identify which pools may be built under prior standards and which pools may have been flood impacted.
- the resources to communicate with owners to inspect the pools, carry out inspections, provide advice and direction on what will be necessary to upgrade the barrier, carry out further inspections and ultimately issue a Certificate of Compliance.
- financial and mental health implications for property owners that have gone through, or are still going through, the impacts of the flood.
- possible concerns regarding inequity in targeting specific areas.

The Council endorsed *Swimming Pool Barrier Inspection Program* currently only requires inspection of pools where there is tourist and visitor accommodation, or more than two dwellings, and for those where a Pool Compliance Certificate Application is received.

Provision to carry out area or circumstance specific upgrade audits is now included in this revised policy, to provide a Council endorsed approach for staff to conduct defined upgrade audits, if appropriate, and to provide transparency to the community and opportunity for public submissions.

Implementation of the audits will be determined operationally having regard for the terms of the policy and available resources.

Otherwise, the policy is still contemporary and reflects current legislation therefore no further changes are recommended.

A copy of the amended policy is included as Attachment 1 to this report.

The changes to the policy have been marked in yellow.

Delivery Program Strategy / Operational Plan Activity

This policy aligns with Delivery Program and Operational Plan Activity CC1.1b - Implement State Government Pool Barrier Inspection Program.

Community Engagement Strategy

It is recommended that Council adopt the policy as presented, however the document will also be exhibited for public comment.

8.7 Policy (Review) - Private Swimming Pool Barrier Fencing

If any submissions are received, they can be reported back to Council however there will not be a need for any further report if there is no public comment.

Financial / Risk Considerations

Resources will be required to conduct any specific audits.

This could be by way of additional resources (e.g. casual staff) or through redirection of existing resources to this task.

At this time, it is proposed that this would be managed through the existing operating budget of the Development Services Section.

As a guide in relation to the Quays Estate area, a preliminary review of aerial mapping and the swimming pool register indicates that around 25 pools in the Ballina Quays Estate may require further investigation.

Options

1. Council accepts the proposed changes to the policy.

This is the recommended approach.

Other than the inclusion of the possibility to carry out area, or circumstance specific audits, the changes are minor.

2. Council amends the proposed changes to the policy to remove the additional provisions regarding a possible targeted strategy.

This is not recommended as the inclusion of area, or circumstance specific, audits provide flexibility for the application of the policy in the interests of public safety.

The implementation of the audits can be managed operationally over time.

RECOMMENDATIONS

1. That Council adopts the amended Private Swimming Pool Barrier Fencing 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, no further action is required.

Attachment(s)

1. Policy (Review) - Private Swimming Pool Barrier Fencing [⇒](#)


9.1 Use of Council Seal

9. Corporate and Community Division Reports

9.1 Use of Council Seal

RECOMMENDATIONS

That Council affix the Common Seal to the following documents.

US2025/9	<p>Alstonville Wastewater Plant Sewer Gravity Main – Easement through Prendergast property reference 2/1182136.</p> <p>Explanation: The main gravity sewer pipelines from Alstonville township to the Alstonville Wastewater Plant are within existing easements.</p> <p>One section of the pipelines is through 1336 Teven Road, Alstonville, Lot 2 DP1182136, a property owned by Mr & Mrs Prendergast.</p> <p>In 2014 Council identified a building was under construction over the easement. As part of the sewer main upgrade (in about 2017), new pipes were laid around the building and a new easement is required over the new pipeline.</p> <p>The agreement with the owner was to proceed with the easement at no cost to Council (Council reference 15/13216 and 15/18740). With changes in staff this easement matter did not get finalised and is now being finalised.</p> 
US2025/10	<p>Deed of Consent, Access and Agreement to Grant Easements between Ballina Shire Council, Lennox Head Development Corporation Pty Ltd and Intrapac Property Pty Ltd.</p> <p>Explanation: The Cumbalum Urban Release Area B (CURA B) requires a sewerage easement that traverses CURA A land to construct the sewerage infrastructure required for the development.</p> <p>The purpose of this Deed is to facilitate the granting of easements and other approvals by the owners of the CURA A land to Council and the owners of the CURA B land to enable these works to be</p>

	<p>delivered ahead of the land affected being transferred to Council under normal subdivision arrangements.</p> <p>The development of the Deed follows a December 2023 Council resolution. The background for this matter is summarised as follows.</p> <p>Many years ago, a voluntary planning agreement (VPA) was approved for the proposed CURA B development. Under the VPA, the CURA B proponents are responsible for the provision a wastewater pumpstation and rising main, amongst many other infrastructure and other provisions.</p> <p>However, a significant portion of the pump station and rising main works are planned for construction on CURA A land. Since the VPA was approved, the timing of the works and other issues have emerged that were not contemplated by the VPA.</p> <p>One issue has been accessing the required land and this has been the subject of ongoing commercial discussions between the CURA A and CURA B landholders for many years.</p> <p>Unfortunately, agreement between the parties was not possible and Council regularly received submissions from the parties to intervene.</p> <p>The December 2023 report recommended a solution whereby certain works under the VPA were included as an amendment in Council's new Wastewater Developer Service Plan (DSP) and a Deed of Agreement was established between the landholders and Council.</p> <p>The purpose of this proposal, being Council stepping in to deliver the works (with the costs recovered under the DSP) was to avoid the ongoing commercial issues and timing constraints that prevented an agreement between the landholders to enable the delivery of the works.</p> <p>The landholders agreed with Council's intervention as the proposal follows a typical delivery mechanism for shared infrastructure and the timing proposed by Council was suitable and more reliable than the VPA arrangements.</p> <p>Following public exhibition, the new DSP, including the proposed amendment for the inclusion of the VPA works into the works schedule, was adopted by Council in June 2024.</p> <p>The preparation of the Deed followed the DSP adoption, and the Deed is now recommended for execution, with all parties confirming their acceptance of the terms in the Deed.</p> <p>The terms of the Deed enable Council to access the land that is needed for the Council to deliver the DSP works.</p>
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	<p>The DSP works have been included in Councils Delivery Program and Operational Plan to ensure Council can comply with the requirements in the Deed.</p> <p>The works under the DSP will enable CURA A to have the final sewer capacity needed for this subdivision and enable the initial stages of the CURA B project to proceed (if approved).</p> <p>The key deliverable for Council under the Deed is the DSP works.</p> <p>The Deed makes the delivery of the works earlier than what would otherwise be possible by the creation of certain easements.</p> <p>As well as achieving the strategic planning outcomes for these land release areas, the early access means Council avoids the risks of cost escalation that typically impacts works under the developer contributions arrangements.</p> <p>The Deed also provides the most efficient and effective option for the roll out of the infrastructure which will be a Council asset.</p> <p>Council does not have to pay any consideration for the rights to Council created under the Deed.</p> <p>The obligations for Council, other than standard notification and other clauses, are limited to the delivery of works as per the approved DSP. Accordingly, the Deed is consistent with the most recent decisions of Council regarding this matter.</p>												
US2025/11	<p>1. That Council, in accordance with the relevant provisions of the Local Government Act 1993 and the Crown Land Management Act 2016, enters the following leases/licences of <i>community land</i>:</p> <table><tr><th>Property</th><th>Tenant</th><th>Tenure</th></tr><tr><td>The clubhouse and part of the storage shed at 'Skennars Head Sports Fields' being Part Lot 13 DP 1245669</td><td>Lennox Head Football Club Incorporated</td><td>Four-year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)</td></tr><tr><td>The clubhouse and courts at 'Lumley Park' being Part Lots 333 DP 755745 and 7004 DP 92641</td><td>Alstonville Tennis and Pickleball Club Incorporated</td><td>12-month licence at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)</td></tr><tr><td>Wollongbar Community Preschool being whole Lot 266 DP 1209571</td><td>Wollongbar Community Preschool Incorporated</td><td>Five-year lease plus five-year option at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)</td></tr></table>	Property	Tenant	Tenure	The clubhouse and part of the storage shed at 'Skennars Head Sports Fields' being Part Lot 13 DP 1245669	Lennox Head Football Club Incorporated	Four-year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)	The clubhouse and courts at 'Lumley Park' being Part Lots 333 DP 755745 and 7004 DP 92641	Alstonville Tennis and Pickleball Club Incorporated	12-month licence at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)	Wollongbar Community Preschool being whole Lot 266 DP 1209571	Wollongbar Community Preschool Incorporated	Five-year lease plus five-year option at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)
Property	Tenant	Tenure											
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Wollongbar Community Preschool being whole Lot 266 DP 1209571	Wollongbar Community Preschool Incorporated	Five-year lease plus five-year option at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)											

9.1 Use of Council Seal

	<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> <p>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 to the grant of the proposed lease/licence.</p>			
US2025/12	<p>1. That Council, in accordance with the relevant provisions of the Crown Land Management Act 2016, enters the following licence of community land:</p> <table><tr><td>The clubhouse building at 'Williams Reserve' being Part Lot 473 DP 729088</td><td>Lennox Head Combined Sports Association Incorporated</td><td>12-month licence at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)</td></tr></table> <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>	The clubhouse building at 'Williams Reserve' being Part Lot 473 DP 729088	Lennox Head Combined Sports Association Incorporated	12-month licence at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)
The clubhouse building at 'Williams Reserve' being Part Lot 473 DP 729088	Lennox Head Combined Sports Association Incorporated	12-month licence at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)		

Attachment(s)

Nil

9.2 Investment Summary - May 2025

Section	Financial Services
Objective	To provide details of Council's cash and investments portfolio breakup and performance

Background

In accordance with the Local Government (General) Regulation 2021, the Responsible Accounting Officer of a council must provide a monthly investment report setting out the council's cash and investments. The report is to be presented at the ordinary meeting, immediately following the end of the respective month.

This report provides details of the total funds invested, where the investments are held and other related matters, to confirm that Council is complying with Council's Investment Policy and to ensure transparency.

The Responsible Accounting Officer certifies that the investments made during May 2025, have been made in accordance with the Act, the Regulations and Council's Investment Policy.

Key Issues

- Compliance with Investment Policy
- Return on investments

Discussion

Council's investments are in accordance with Council's Investment Policy, Section 625 of the Local Government Act 1993, and the Local Government (General) Regulation 2021. A copy of the [Investment Policy](#), adopted 27 June 2024, is available on Council's website and linked above.

The total balance of investments, as at 31 May 2025 was \$89.9m compared to a balance of \$89.4m as at 30 April 2025.

Council's investments, as at 31 May 2025, were invested at a weighted average interest rate of 5.176%, which was 0.908% higher than the May average 90 Day Bank Bill Index (BBSW) of 4.268%.

The balance of Council's Commonwealth Bank business account, as at 31 May 2025 was \$21,743,594, compared to a balance of \$10,618,218 as at 30 April 2025. Total combined cash and investments, as at 31 May 2025 was \$111,643,594 compared to a balance of \$100,018,218, as at 30 April 2025.

The net increase of \$11.63m in cash and investments from April to May is due to the settlement of land sales at Boeing Avenue of \$17.1m and rates instalments due at the end of the month, partly offset by creditor payments made during the month.

9.2 Investment Summary - May 2025

NSW TCorp's monthly Economic Commentary report for May 2025 can be viewed using the following link: [Monthly economic report – May 2025](#)

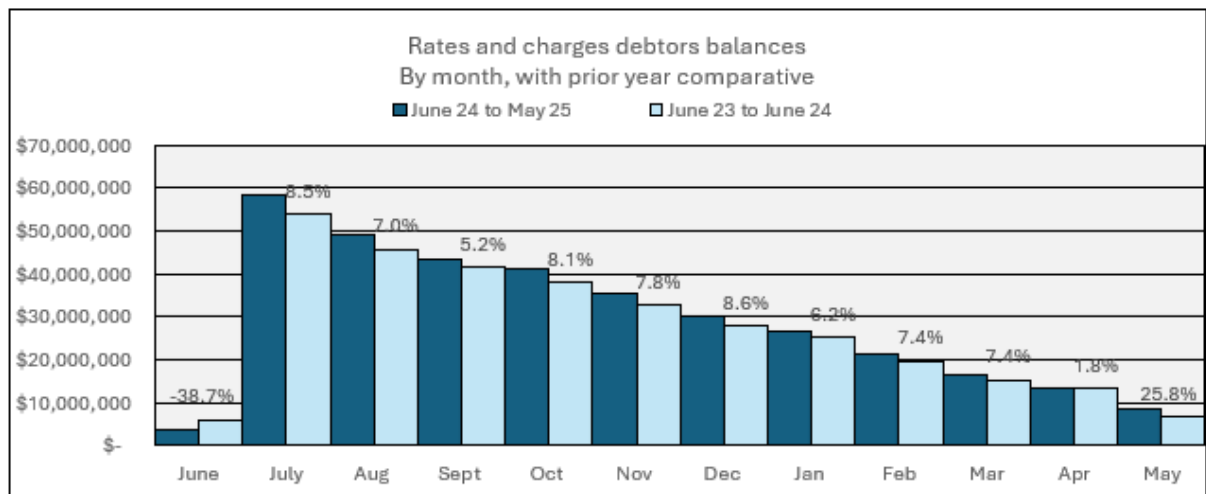
Restricted Reserves

The majority of Council's investment portfolio is restricted by legislation (external) and Council (internal) uses for specific purposes. The following table reflects the portfolio percentages based on 30 June 2024 balances.

Reserve Name	Restriction	% Portfolio
Wastewater (incl developer contributions)	External	24.18%
Water (incl developer contributions)	External	15.66%
Section 7.11 Developer Contributions	External	18.74%
Domestic Waste Management	External	1.81%
Bonds and Deposits	External	3.07%
Specific Purpose Unexpended Grants	External	8.17%
Commercial Properties	Internal	1.16%
Carry Forward Works	Internal	3.25%
Bypass Maintenance	Internal	3.32%
Management Plans / Studies	Internal	1.03%
Airport	Internal	2.02%
Landfill and Resource Management	Internal	0.09%
Employee Leave Entitlements	Internal	2.65%
Quarries	Internal	0.56%
Property	Internal	1.31%
Plant and Vehicle Replacement	Internal	0.20%
Road Works	Internal	0.94%
Open Spaces	Internal	1.17%
Miscellaneous Internal Reserves	Internal	3.14%
Community Facilities	Internal	0.71%
Financial Assistance Grant in Advance	Internal	4.53%
Unrestricted		2.29%
Total		100.00%

Debtors

As per the following chart, the balance, as at 31 May 2025, was 25.8% higher than 31 May 2024.



9.2 Investment Summary - May 2025

This percentage difference is high, as compared to the dollar value, due to the decreasing debtor balance as the end of the year approaches.

This is not a concern, as the dollar value is the key figure.

There was also an instalment due at the end of the month, which fell on a weekend, with some payments being made the following week in early June.

A. Investments by Institution

Funds Invested With	Fossil Fuel Free / Green	Rating S&P	30 April \$'000	31 May \$'000	Quota %	% of Total
AMP Bank	No	BBB+	9,000	11,000	20%	12.25%
Australian Unity	Yes	BBB+	2,000	2,000	20%	2.22%
Auswide Bank	Yes	BBB	8,000	8,000	20%	8.90%
Bank of Queensland	Yes	A-	9,000	9,000	20%	10.01%
BankVic	n/a	BBB+	5,000	5,000	20%	5.56%
Bendigo & Adelaide Bank	Yes	BBB+	1,000	1,000	20%	1.11%
Beyond Bank	Yes	BBB+	4,000	4,000	20%	4.45%
Commonwealth Bank	No	AA-	1,000	1,000	20%	1.11%
Defence Bank Ltd	n/a	BBB+	3,000	3,000	20%	3.34%
ING Bank (Australia) Ltd	No	A	2,000	2,000	20%	2.22%
IMB Bank	Yes	BBB	3,000	3,000	20%	3.34%
G & C Mutual	Yes	BBB+	4,000	4,000	20%	4.45%
Macquarie Bank	No	A+	1,600	1,600	20%	1.78%
MyState Bank Ltd	Yes	BBB+	4,000	2,000	20%	2.22%
National Australia Bank	No	AA-	11,500	12,000	20%	13.36%
Newcastle Greater Mutual Group Ltd	Yes	BBB+	1,000	1,000	20%	1.11%
Rabobank Australia Ltd	No	A+	10,000	10,000	20%	11.12%
Suncorp Limited	No	A+	8,300	8,300	20%	9.23%
Westpac Bank Corp	No	AA-	2,000	2,000	20%	2.22%
Total			89,400	89,900		100.0%

Credit Rating Summary as per the Investment Policy	Maximum Allowed		Value 30 April \$'000	Value 31 May \$'000	%	%
	%	Value \$'000				
A- or Higher	100%	89,900	45,400	45,900	50.8%	51.1%
BBB	60%	53,940	44,000	44,000	49.2%	48.9%
Total			89,400	89,900	100.0%	100.0%

Liquidity Risk Parameters as per the Investment Policy	Maximum Allowed		Value \$'000 30 April	Value \$'000 31 May	%	%
	%	Value \$'000				
Term equal to 1 year or less	100%	89,900	79,500	80,000	88.9%	89.0%
Term > 1 year and < 3 years	40%	35,960	-	-	-	-
Term > 3 years	20%	17,980	9,900	9,900	11.1%	11.0%
Total			89,400	89,900	100.0%	100.0%

9.2 Investment Summary - May 2025

B. Fossil Fuel Free and Green Investments

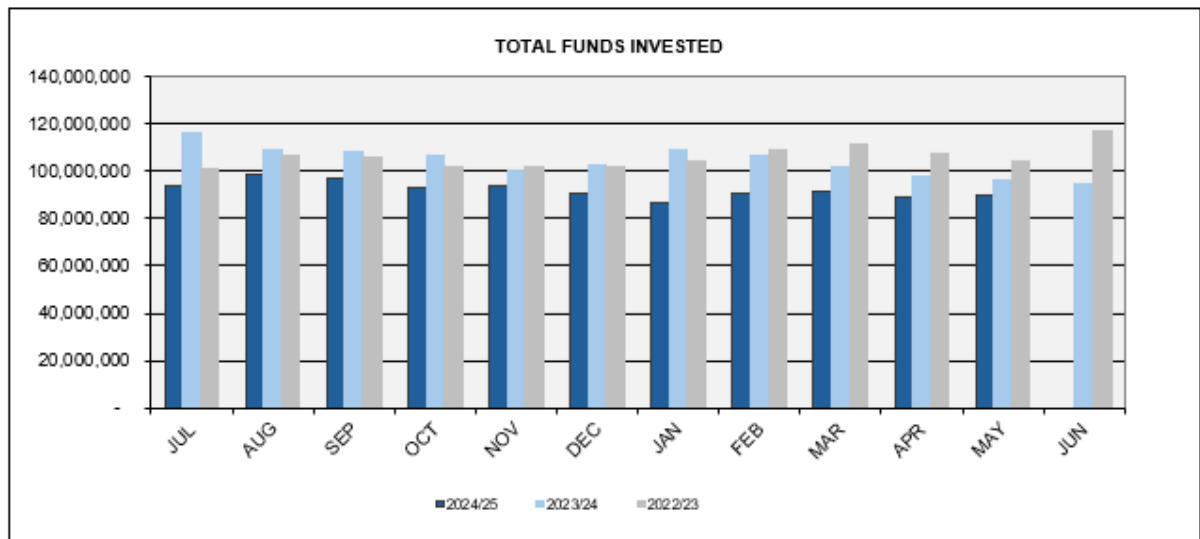
Environmental Classification	30 April		31 May	
	(\$'000)	(%)	(\$'000)	(%)
Fossil Fuel Aligned Investments	36,400	40.7	36,900	41.0
Non-Fossil Fuel Aligned Investments	45,000	50.4	45,000	50.1
Not Classified	8,000	8.9	8,000	8.9
Total	89,400	100.0	89,900	100.0

In May 2025, six investments matured totalling \$9.8m. Two of these investments were held with non-fossil fuel aligned institutions totalling \$4m.

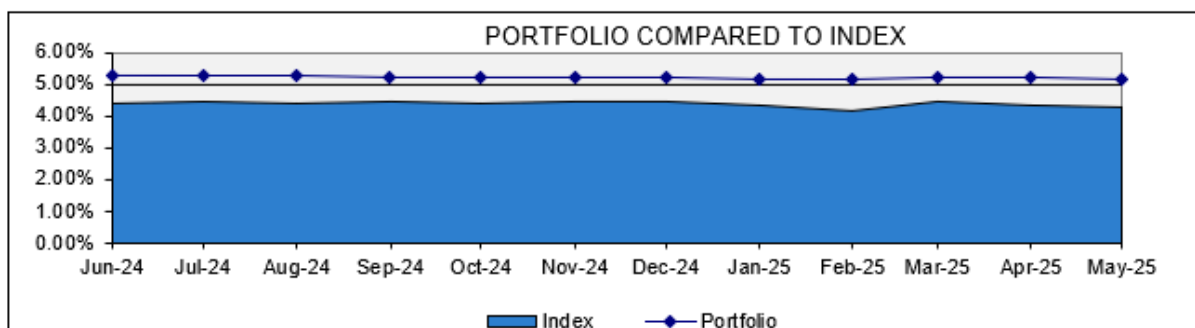
Six new investments, totalling \$10.3m, were placed.

Two of these investments were with non-fossil fuel aligned institutions totalling \$4m.

C. Monthly Comparison of Total Funds Invested

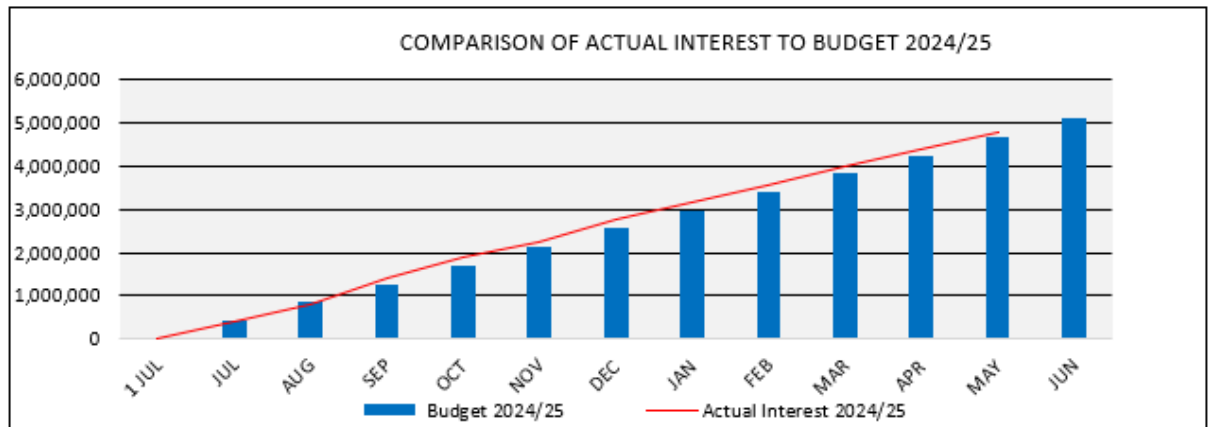


D. Comparison of Portfolio Investment Rate to 90 Day BBSW



9.2 Investment Summary - May 2025

E. Progressive Total of Interest Earned to Budget



F. Investments held as of 30 April 2025 and 31 May 2025

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	30 April \$'000	31 May \$'000
24/02/21	Suncorp-Metway Limited	FRN	6.09%	24/02/26	1,300	1,300
04/03/21	Newcastle Greater Mutual Group Ltd	FRN	4.74%	04/03/26	1,000	1,000
18/06/21	Bendigo & Adelaide Bank	FRN	4.76%	18/06/26	1,000	1,000
29/06/23	AMP Bank	FRN	6.07%	29/06/26	1,000	1,000
14/09/23	Macquarie Bank Limited	FRN	4.97%	14/09/26	1,600	1,600
20/02/24	Westpac Banking Corporation	FRN	4.66%	20/02/29	2,000	2,000
19/03/24	Suncorp-Metway Limited	FRN	4.16%	19/03/29	1,000	1,000
22/08/24	Commonwealth Bank of Australia	FRN	4.60%	22/08/29	1,000	1,000
28/05/24	MyState Bank Ltd	TD	5.25%	27/08/25	2,000	-
04/06/24	MyState Bank Ltd	TD	5.25%	03/06/25	2,000	2,000
27/06/24	National Australia Bank	TD	5.50%	24/06/25	4,000	4,000
10/07/24	Suncorp-Metway Limited	TD	5.45%	08/07/25	3,000	3,000
31/07/24	Rabobank Australia Ltd.	TD	5.35%	31/07/25	3,000	3,000
13/08/24	AMP Bank	TD	5.20%	10/06/25	4,000	4,000
28/08/24	Rabobank Australia Ltd.	TD	5.00%	03/06/25	5,000	5,000
11/09/24	G&C Mutual Bank	TD	5.00%	03/09/25	2,000	2,000
12/11/24	Australian Unity Bank	TD	5.10%	11/11/25	1,000	1,000
12/11/24	Australian Unity Bank	TD	5.10%	11/11/25	1,000	1,000
19/11/24	ING Bank (Australia) Ltd	TD	5.17%	18/11/25	2,000	2,000
26/11/24	Bank of Queensland	TD	5.15%	01/07/25	2,000	2,000
26/11/24	Bank of Queensland	TD	5.15%	21/05/25	2,000	-
10/12/24	Beyond Bank	TD	5.18%	10/06/25	2,000	2,000
10/12/24	Beyond Bank	TD	5.18%	17/06/25	2,000	2,000
11/12/24	Auswide Bank	TD	5.15%	15/07/25	2,000	2,000
17/12/24	Auswide Bank	TD	5.20%	17/06/25	2,000	2,000
07/01/25	AMP Bank	TD	5.10%	16/06/25	2,000	2,000
07/01/25	Defence Bank Ltd	TD	5.10%	22/07/25	1,000	1,000
07/01/25	Defence Bank Ltd	TD	5.10%	29/07/25	2,000	2,000
07/01/25	BankVic	TD	5.10%	07/08/25	1,000	1,000
08/01/25	AMP Bank	TD	5.10%	15/07/25	2,000	2,000
14/01/25	BankVic	TD	5.10%	13/08/25	2,000	2,000
21/01/25	National Australia Bank	TD	4.95%	19/08/25	2,000	2,000

9.2 Investment Summary - May 2025

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	30 April \$'000	31 May \$'000
21/01/25	National Australia Bank	TD	4.90%	02/09/25	2,000	2,000
21/01/25	National Australia Bank	TD	4.90%	16/09/25	2,000	2,000
28/01/25	Suncorp-Metway Limited	TD	4.91%	09/09/25	2,000	2,000
28/01/25	Suncorp-Metway Limited	TD	4.91%	07/10/25	1,000	1,000
04/02/25	Bank of Queensland	TD	4.85%	05/08/25	2,000	2,000
12/02/25	National Australia Bank	TD	4.90%	13/05/25	1,500	-
27/02/25	Auswide Bank	TD	4.76%	17/02/26	2,000	2,000
27/02/25	Auswide Bank	TD	4.76%	24/02/26	2,000	2,000
28/02/25	Rabobank Bank Australia Ltd.	TD	4.79%	02/09/25	2,000	2,000
04/03/25	IMB Bank	TD	4.70%	02/09/25	2,000	2,000
04/03/25	IMB Bank	TD	4.70%	09/09/25	1,000	1,000
28/03/25	BankVic	TD	4.75%	28/03/25	2,000	2,000
28/03/25	G&C Mutual Bank	TD	4.75%	14/10/25	2,000	2,000
01/04/25	Bank of Queensland	TD	4.78%	03/10/25	2,000	2,000
15/04/25	Bank of Queensland	TD	4.70%	13/10/25	1,000	1,000
21/05/25	AMP Bank	TD	4.50%	28/10/25	-	2,000
30/05/25	Bank of Queensland	TD	4.30%	02/12/25	-	2,000
30/05/25	National Australia Bank	TD	4.20%	03/03/26	-	2,000
	Total				89,400	89,900
	TD=Term Deposit; FRN=Floating Rate Note					

RECOMMENDATION

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

Attachment(s)

Nil

9.3 Community Strategic Plan 2025 to 2035 - Adoption

Section Communications

Objective To adopt the Community Strategic Plan 2025 to 2035.

Background

Under Section 402 of the Local Government Act, Council must review and adopt the Community Strategic Plan (CSP) before 30 June 2025.

Councils can endorse amendments to an existing plan or develop and endorse a new plan.

Following community engagement in late 2024 and early 2025, the draft CSP was reported to the 8 April 2025 Finance and Facilities Committee meeting and was subsequently placed on exhibition.

This report addresses the submissions and seeks adoption of the Community Strategic Plan 2025 to 2035, as per Attachment 1 to this report.

Key Issues

- Compliance with Local Government Act
- Community engagement
- Long term strategic planning

Discussion

The CSP must:

- Address civic leadership, social, environmental, and economic issues in an integrated manner
- Align with social justice principles of equity, access, participation, and rights
- Be informed by relevant data on civic leadership, social, environmental, and economic issues.
- Consider State and regional planning priorities.

The draft CSP must be placed on public exhibition for a minimum period of 28 days and submissions must be considered before Council adopts the plan.

The review must be completed by 30 June following the election.

The CSP is the highest level-planning document for Council's Integrated Planning and Reporting (IP&R) Framework.

It is a broad, high-level strategic document that identifies the main aspirations and future vision of the community.

9.3 Community Strategic Plan 2025 to 2035 - Adoption

It outlines four agreed key directions that we will follow to deliver the future aspirations to the community.

These themes are a Healthy Environment (Environment), Engaged Leadership (Governance), Connected Community (Social), Liveable and Prosperous Economy (Economic).

The themes are expanded into outcomes and actions. The actions are further expanded in the Delivery Program and Operational Plan (DPOP).

Community consultation was undertaken during the development of the CSP, through community surveys, a youth survey, open engagement, and Councillor briefings.

The engagement was promoted through print and social media, newsletters, and rates notices resulting in 1,181 submissions in the first phase of engagement.

The draft CSP was reported to the 8 April Finance and Facilities Committee meeting, where Council resolved to place the plan on exhibition.

Attachment 2 is the initial Community Engagement report as previously presented to Council.

The final phase of the process is to consider the submissions received during the exhibition process.

Table 1 - Submissions

During the exhibition of the draft CSP, 18 online and two written submissions (1a and 2a) were received and are summarised as follows:

#	Submitter	Comment Summary	Addressed in CSP or suggested action
1	Jane	Concern over derelict commercial buildings	Aligns with CC1.3 Monitor built infrastructure and services
2	SCU	No comment	N/A
3	Vicky	Support for environmental focus	Aligns with HE Healthy Environment direction being a primary focus in CSP
4	Gary	Infrastructure in Saltwood/Kinvara	Aligns with LP1.2 Facilitate connectivity and affordability
5	Klaus	No comment	N/A
6	DCP	Rayner Lane (Operational Plan level)	Addressed in Delivery Program and Operational Plan Report
7	Cassandra	More tangible actions	CSP is a high-level framework guiding future actions identified in the Delivery Program and Operational Plan
8	ZK	No comment	N/A
9	Northern NSW Football	Sport infrastructure	Aligns with CC3.3 Sporting and Community Facilities
10	Nat	Additional open space and playgrounds in Alstonville and Wollongbar	Aligns with CC3.3 Sporting and Community Facilities

9.3 Community Strategic Plan 2025 to 2035 - Adoption

#	Submitter	Comment Summary	Addressed in CSP or suggested action
11	Lennox Head Heritage Committee	Broaden historical recognition to include colonial/settler heritage	Amend benefit wording CC2.3: <i>"We recognise and value our Indigenous and colonial/settler history and living culture."</i>
12	KCJ	Specific recognition of Nyangbul people and cultural inclusion	Add benefit wording under CC2.3: <i>"Stronger cultural inclusion and recognition through partnerships with the Nyangbul people."</i> Revise 'Cultural Diversity' under the Ballina Shire Profile to include Nyangbul people.
13	Wollongbar Alstonville Rugby Club	Request for improved sporting facilities at Wollongbar Sports Complex	Addressed in Delivery Program and Operational Plan Report.
14	GBruce	No comment	N/A
15	Benjamin	More activities for young people. A more appealing night life. More affordable housing.	Aligns with CC3.2 Youth Activities and Opportunities. Aligns with LP1.2 Affordable Housing.
16	Tini (Justine)	Climate, circular economy, transport, community gardens	Aligns with HE Healthy Environment direction being a primary focus in CSP. Addressed in Delivery Program and Operational Plan Report.
17	SBaldwin	Maintain green space in high density areas	Aligns with HE1.3 Open Spaces and CC3.3 Health and wellbeing
18	KayBee	Cawarra Park	Addressed in Delivery Program and Operational Plan Report.
1a	Ballina Chamber of Commerce	Economic focus, planning efficiency, events, housing, youth employment.	Aligns with the CSP outcomes. Addressed in Delivery Program and Operational Plan Report.
2a	Northern NSW Local Health District	Support food security e.g. community gardens, land planning of agricultural land	Add benefit wording under CC3.3 <i>"Improved access to local health and wellbeing initiatives through land use planning, community partnerships, and inclusive public spaces."</i>

The YourSay online summary, survey responses, and two written submissions are included as Attachment 3.

Youth Engagement

Feedback from the May 2025 Youth Forum, organised by Ballina Shire Council with support from the Advocate for Children and Young People, Social Futures, and the Ballina Youth Interagency, confirmed that the draft CSP reflects the priorities of young people.

One collective suggestion that came from the forum was the establishment of a multipurpose youth centre offering support services, programs, and activities for young people.

Council may consider including an action to investigate options for a youth centre in the DPOP, along with other youth-focused priorities raised during the forum.

A summary of the forum's top priorities and their alignment with CSP outcomes, along with key themes and how frequently they were raised across all groups, is included as Attachment 4.

Submissions Overview

The earlier table summarises the submissions received during the exhibition period.

Overall, 17 of the 18 online respondents found the draft CSP easy to read and understand. Thirteen respondents agreed that the community vision, *"Ballina Shire is a connected, sustainable, and thriving community where growth is balanced with protecting our environment, enhancing liveability, and supporting a strong local economy"*, aligned with their hopes for the future.

Three were unsure, and two did not agree, with one citing the vision as ambiguous and the other noting it lacked reference to people living on the plateau.

Most submissions aligned with existing outcomes and actions in the CSP or raised matters more appropriately addressed through the DPOP.

These submissions are noted in the table and do not require changes to the CSP.

A small number of submissions could prompt refinements to strengthen the CSP's alignment with community expectations.

These are outlined below:

Lennox Head Heritage Committee (Submission #11)

Requested broader acknowledgement of heritage to include both Indigenous and colonial / settler history.

- Update benefit under Outcome CC2.3 to:

"We recognise and value our Indigenous and colonial / settler history and living culture."

KCJ (Submission #12)

Requested specific recognition of the Nyangbul people as Traditional Custodians and stronger cultural inclusion.

- a. Revise the Acknowledgement of Country to recognise the Nyangbul people (page 2).

9.3 Community Strategic Plan 2025 to 2035 - Adoption

- b. Revise the 'Cultural Diversity' section of the Ballina Shire Profile to better reflect the role of the Nyangbul people (page 9)
- c. Add a new benefit under Outcome CC2.3 (page 26):

"Stronger cultural inclusion and recognition through partnerships with the Nyangbul people."

Council may also consider including an action in the DPOP to strengthen cultural inclusion through ongoing partnership with the Nyangbul people.

Northern NSW Local Health District (Submission #2a)

Recommended including food security as a goal, with support for initiatives such as community gardens and equitable access to healthy food.

- a. Add a new benefit under Outcome CC3.3:

"Improved access to local health and wellbeing initiatives through land use planning, community partnerships, and inclusive public spaces."

Delivery Program Strategy / Operational Plan Activity

The CSP is the highest level-planning document for Council's IP&R Framework.

It is a broad, high-level strategic document.

The CSP then directs the Delivery Program and Operational Plan.

Community Engagement Strategy

A key aspect of the CSP renewal was engaging with the community. Council reviewed and updated the Community Engagement Strategy (CES) in December 2024, establishing the level, standard, and methods of engagement to guide the process.

Community engagement to inform the draft CSP took place from October 2024 to February 2025 and included:

- Random Telephone Survey
- Direct mail to community groups, sporting groups and schools
- Community Survey
- Youth Survey
- Open Engagement – online submissions, a drawing and writing activity for children, and short-answer responses.
- Community Connections Expo

This first phase of engagement generated 1,181 submissions.

As part of the second phase of engagement, the draft CSP was placed on public exhibition from 8 May to 6 June 2025.

Promotion and opportunities for community feedback included:

9.3 Community Strategic Plan 2025 to 2035 - Adoption

- Social media, Community Connect, rates notices, local print and broadcast media
- Direct mail to community groups, sporting organisations, and schools
- YourSay online engagement platform (41 page visits; 18 submissions received)
- Youth Forum – attended by 75 students from all secondary schools across Ballina Shire

Financial / Risk Considerations

Council will satisfy its compliance obligations by completing the review of the Community Strategic Plan 2035 by 30 June 2025. There are no further financial or risk considerations in adopting this document.

Options

The recommendation is to adopt the CSP, as exhibited, as per Attachment 1, subject to any amendments. The recommended amendments identified in this report are as follows:

- Update benefit under Outcome CC2.3 (page 26) to:

“We recognise and value our Indigenous and colonial/settler history and living culture.”

- Revise the Acknowledgement of Country to recognise the Nyangbul people (page 2)
- Revise the ‘Cultural Diversity’ section of the Ballina Shire Profile to better reflect the role of the Nyangbul people (page 9).
- Add a new benefit under Outcome CC2.3 (page 26):

“Stronger cultural inclusion and recognition through partnerships with the Nyangbul people.”

- Add a new benefit under Outcome CC3.3:

“Improved access to local health and wellbeing initiatives through land use planning, community partnerships, and inclusive public spaces.”

RECOMMENDATION

That Council adopts the exhibited Community Strategic Plan 2025–2035, as per Attachment 1 to this report, inclusive of the amendments listed in this report.

Attachment(s)

1. Community Strategic Plan 2025 - 2035 - Draft [⇒](#)
2. Community Engagement Report - February 2025 [⇒](#)
3. Submissions [⇒](#)
4. Youth Forum May 2025 - Summary of Priorities [⇒](#)

9.4 Delivery Program and Operational Plan - Adoption

9.4 Delivery Program and Operational Plan - Adoption

Section	Communications
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Objective	To consider submissions received during the exhibition period for the draft 2025/26 to 2028/29 Delivery Program and the 2025/26 Operational Plan and to adopt the documents prior to 30 June 2025.
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Background

The NSW Office of Local Government's Integrated Planning and Reporting (IP&R) Framework requires all councils to adopt several documents prior to 30 June each year, to confirm the outcomes sought for the community, as well as the rates and charges payable for the next year.

Council's draft 2025/26 to 2028/29 Delivery Program and 2025/26 Operational Plan (including supporting documents; Fees and Charges, Long Term Financial Plan (LTFP), Budget, Strategic Asset Management Plan and Workforce Management Plan) were placed on exhibition following the 24 April 2025 Ordinary meeting.

Council invited submissions during the exhibition period.

The objective of this report is to adopt the 2025/26 to 2028/29 Delivery Program and 2025/26 Operational Plan (DPOP), including the supporting documents, after reviewing the submissions and considering any other information relevant to the documents since they were prepared.

As the exhibited documents are extensive, they have not been reproduced for this report.

Copies of the documents, as exhibited, have been loaded to the Councillor hub under the title of Integrated Planning and Reporting.

Hard copies are available from Council.

Key Issues

- Contents of submissions
- Additional amendments
- Balancing demand for services against available resources

Discussion

This report has two main sections:

- A. Submissions Review
- B. Updates based on contemporary information

A. Submissions Review

The submissions can be categorised under two main headings:

1. Submissions for funding assistance in response to Council's funding programs; donations for community groups and capital works assistance for sporting groups.
2. Submissions for works, services and other actions

1. Submissions for Funding Assistance

The draft LTFP includes the following allocations for funding assistance / donations for 2025/26:

Funding Description	Budget (\$)
Donations – Community Groups	84,000
Capital Works Assistance - Sporting Groups	34,000
Donations – Council Rates and Charges	41,000
Richmond Room – Chair Set Up (RSL Lighthouse Day Club)	8,000
Assistance with Council Fees - Community Groups	4,000
Total	171,000

All the funding sources listed, excluding the Richmond Room – Chair Set Up, are supported by Council policies.

The Richmond Room is a standing resolution, where Council has approved a donation to the Ballina Rotary Club, to help set up the chairs in the Richmond Room, once every week, for the Ballina RSL Lighthouse Day Care Club.

Council is invoiced by the Rotary Club for this service, based on an agreed annual figure, which remains largely the same, year to year.

The service is provided on a voluntary basis, with Council contributing a donation to the Rotary Club for their efforts.

The submissions included in this report relate to the Donations – Community Groups and Capital Works Assistance – Sporting Groups allocations, for which Council calls for annual applications, as per the Council policies.

The policies for these donations state that Council will form a working party, consisting of Councillors, to provide recommendations on the allocation of the funds to the July Ordinary meeting.

This process of Councillors meeting and reviewing the applications prior to the July Ordinary meeting has been in place for many years, with the meeting listing a recommended funding allocation for reporting to Council.

Council may now need to ensure the public can attend these meetings, based on the Minister for Local Government encouraging councils not to undertake briefings, without the public having the opportunity to be present.

Details of the applications received are summarised in the next two tables.

Applicants are required to complete a standard online application form.

General Donations – Community Groups

Table 1 outlines the submissions for community donations.

Table 1 - Submissions for Community Donations

Ref	Organisation name	Project	Request \$
1	Lennox Arts Board Inc	Part venue hire - LHCC and to host cultural and music events	1,000
2	Our Kids	Event costs - Our Kids Day Out, logistics and temporary fencing costs	1,000
3	Rural Doctors Network ⁱ	Operating costs - Bush Bursary Program	1,500
4	Ballina and District Ministers Association Inc	Event costs - Riverside Carols	10,000
5	Richmond Tweed Family History Society Inc	Operating costs - rent support	700
6	Ballina Bosom Buddies Breast Cancer Support Group	Venue hire - Kentwell Community Centre	624
7	Scope Club of Ballina Inc	Operating costs - provide Christmas gift wrapping service	2,420
8	Ballina Multicentre Church	Minor works - restore 3 church leadlight windows	6,000
9	Paradise FM	Operating costs - membership fees	4,000
10	Lennox Head Combined Sports Carols Committee ⁱⁱ	Event costs - Christmas Carols in the Park @ Williams Reserve, Lennox Head	10,000
11	Ballina Community Gardens	Minor works - upgrade gravel road and pathways	2,000
12	Sewing Group	Venue hire - Northlakes Hall	1,098
13	Lions Club of Ballina Inc	Venue hire - Richmond Room	1,947
14	Ballina United Hospital Auxiliary	Minor works - purchase storage shed	3,399
15	Lennox Head Lions Club Inc	Operating costs - insurance, stationery, printing, advertising, vehicle expenses	4,657
16	Northern NSW Helicopter Rescue Service Limited t/a Westpac Rescue Helicopter Service	Event costs - Ballina Show n Shine, February 2026	1,000
17	Northern Rivers Pickleball	Part venue hire – BISC hire for Northern Rivers Regional Rally August 2025, and CPR training	3,000
18	Ballina Shire Concert Band	Operating costs - band music, instrument purchases, repairs, maintenance, insurance, electricity and live music events	5,000

9.4 Delivery Program and Operational Plan - Adoption

Ref	Organisation name	Project	Request \$
19	Dementia Inclusive Ballina Alliance	Event costs - Symposium in Ballina, October 2025	4,500
20	Ballina Lighthouse RSL Day Club	Part venue hire - Richmond Room and operating costs for programming	16,818
21	Lennox Head Landcare Inc	Minor works - fencing materials, transport and trailer registration	1,000
22	Lennox Head Residents' Association Inc	Part venue hire - CWA Hall and insurance	1,164
23	Lennox Head Community Playgroup	Venue hire - LHCC, Activities Room	2,196
24	Quota Alstonville Inc	Event costs - Craft & Garden Fair fencing and security	3,948
25	Ballina Hot Meal Centre	Operating costs - food staples to produce meals	1,000
26	Alstonville-Wollongbar Rural Fire Brigade NSW	Minor works - construct an accessible bathroom in the Fire Station	1,000
27	Lennox Head Community Preschool Inc	Part venue hire - Trivia Night – LHCC hire and insurance	5,000
28	Rotary Club of Ballina-on-Richmond ⁱⁱⁱ	Part venue hire – BISC hire for Domestic Violence Awareness Walk, 28 November 2025 and insurance, advertising and media	2,500
29	Plateau Quilters Inc	Operating costs - rent, insurance, Fair Trading fees, materials and catering	800
30	Marine Rescue NSW- Ballina	Operating costs - Jet Boat maintenance and insurance	9,000
31	Lennox Community Gardens	Operating costs – purchase sundry garden products	841
32	Social Futures	Part venue hire - LHCC and events costs including security, sound, media, promotion, food	5,000
33	Ballina and District Historical Society	Operating costs - rent, electricity, insurance and internet	1,000
34	Wollongbar Community Action Network	Minor works - enhance the Wollongbar Community Hall grounds	5,000
35	Ballina Pipe Band	Operating costs - purchase headwear for 10 band members	1,000
36	Ballina Chamber of Commerce & Industry	Event costs - purchase tickets to attend the International Women's Day, 8 March, 2026	1,000
37	Patch's Beach Dunecare	Minor works - pay professionals to remove weeds from the dunes	5,000
38	Rous Mill and District Memorial Hall Inc	Operating costs - purchase a defibrillator and insurance	6,038

9.4 Delivery Program and Operational Plan - Adoption

Ref	Organisation name	Project	Request \$
39	Rous Public School P&C Committee	Event costs - Rous Bonfire Night, equipment hire, safety services and food costs	3,000
40	Lennox Lightning Toastmasters Club	Venue hire - LHCC CWA Hall	985
41	Pearces Creek Hall	Operating costs - insurance	2,000
42	CPL - Choice, Passion, Life	Operating costs - woodworking bench, tools, safety equipment and storage shed	5,000
43	Heritage Advisory Ballina	Minor works - install a sign indicating the position of headstones in Ballina cemetery	900
	Ballina Branch of CWA ^{iv}	Minor works - carry over Donation from 2024/25	5,000
Total			\$150,035

All the donations listed are eligible under the Financial Assistance - Community Donations Policy, with a link to that policy as follows.

[Donations - Financial Assistance for Community Groups](#)

Previous donation funding must be acquitted prior to the provision of future funds.

Points of note in relation to the submissions are:

1. Rural Doctors Network (application 3) applied for support for medical student placements in multiples of \$1,500.
2. Lennox Head Combined Sports Carol Committee (application 10) was awarded \$8,000 in the 2024/25 Community Donations program; however, the event did not proceed due to wet weather and the funds were not paid.
3. Rotary Club of Ballina-on-Richmond (application 28) has submitted an application in addition to the Standing Donation for the chair setup in the Richmond Room.
4. The Ballina Branch of the CWA was awarded \$5,000 under the 2024/25 Community Donations Program; however, they were unable to proceed with their project to paint the CWA Hall, as Council requested they wait until the roof was repaired, under Council's capital works maintenance program.

The CWA has not reapplied in 2025/26.

As the funds were not paid and the roof works are scheduled for 2025/26, the funds will be carried forward from 2024/25 to 2025/26.

5. All other donations from the 2024/25 program have been acquitted, excluding the Lennox Head Chess Club Inc. The Club has not applied for funding in 2025/26.

9.4 Delivery Program and Operational Plan - Adoption

Donations - Capital Works for Community Sporting Groups

Table 2 outlines the submissions for capital works assistance for community sporting groups, with a link to that policy as follows:

[Donations - Community Sporting Groups Capital Works Assistance](#)

Council writes to approximately fifty sporting groups each year advising of the program and encouraging submissions.

Table 2 - Submissions for Community Sporting Groups

Ref	Organisation name	Project	Request \$
1	Ballina Junior Rugby League Football Club	Construct concrete slab for shade awning	10,000
2	Ballina Bin Chooks Water Polo Club	Construct equipment storage shed at Ballina Pool	10,000
3	Ballina Allstars Athletics Club	Construct additional shot put and discus throwing facilities and a cage	10,000
4	Wardell District Tennis Club	Replace four existing court lights with LED lighting	5,600
Total			\$35,600

All funding from the 2024/25 program has acquitted.

All applications for 2025/26, comply with the Council policy.

Copies of the submissions for Tables 1 and 2 have not been included with this report as they are extensive. They will be considered separately by the Councillor working party, along with a report to the July 2025 Ordinary meeting.

The submissions will also be loaded to the Councillor Hub, under the title of Donations Working Party.

2. Submissions for Works, Services and Other Actions

Attachment 1 to this report includes a range of written and / or emailed submissions, and Attachment 2 includes the submissions from the Your Say portal.

Attachment 1 – Various Submissions

Ballina Naval and Maritime Museum (BNMM) - Renovations

An early submission was received from the Ballina Naval and Maritime Museum (BNMM).

The correspondence from BNMM requests a report to Council on the importance of proposed renovations and seeks funding support, as well as assistance with grant funding.

The initial letter to Council, dated 19 December 2024 noted that the BNMM had an available budget of approximately \$300,000.

9.4 Delivery Program and Operational Plan - Adoption

Preliminary quotations received by the BNMM for proposed works were in the range of \$675,000 to \$822,000.

A revised quotation, based on a redesign, has now been received by the BNMM, with an estimated cost of \$450,000 for the project works.

The BNMM has also advised verbally that they have an available budget of \$350,000.

These revised figures still leave a budget shortfall of approximately \$100,000. BNMM is seeking support from Council to assist with the funding shortfall and to provide project management assistance during construction.

The BNMM is also seeking support from Council to assist with applying for potential grant funding opportunities and extend a further invitation for Council to visit and discuss the renovations.

Staff response

On 13 July 2020, a report was presented to the Facilities Committee meeting detailing a proposal from the BNMM to extend the front of the building. The extension aimed to provide protection for the historic vessel, the Pilot Vessel (PV) Richmond, and to improve the entrance and amenities of the building.

Council made the following resolution:

That the Council funding allocated for improvements to the Ballina Naval and Maritime Museum be applied to undertake immediate repair works on the current structure protecting the PV Richmond to ensure the safety of the structure and continuation of the current protection measures.

That Council authorises the General Manager to proceed with obtaining development consent and all other relevant approvals to enable the modifications to the Ballina Naval and Maritime Museum, as per Attachment 2 to this report.

Development Application (DA 2022/121) was lodged, and planning consent has been granted.

Following consent, BNMM arranged for a full set of construction drawings and obtained three quotations from local builders for the proposed works, ranging from \$675,374 (excluding GST) to \$822,000 (excluding GST).

The cost estimates for the approved design were higher than expected, and, at that time, BNMM only had \$150,000 in funding.

More recently, a retired architect has joined BNMM and has provided a new design that will save approximately \$400,000.

BNMM has also managed to increase their available funds to approximately \$350,000.

An initial estimate to complete the project using the new design is \$450,000.

9.4 Delivery Program and Operational Plan - Adoption

This leaves a shortfall of approximately \$100,000 that BNMM is requesting from Council. A modification to the existing planning consent is also required before the project could proceed.

A visit to the BNMM was included as part of the Councillor Induction tours that took place in February 2025.

Council currently has a budget of \$61,000 for 2026/27 included within capital works programs for 2026/27 for painting and miscellaneous works at the BNMM.

There is no identified funding source for the contribution to the renovation works requested by the BNMM. There are also no known grant opportunities.

Leveraging Council funds with community and / or grant funds, is an important principle to follow in delivering outcomes to the community.

With the BNMM now having a significant cash contribution of \$350,000 to this project, it is recommended that Council examine options to fund this work, and the options section of this report provides potential funding sources for the \$100,000 shortfall.

Elisha Quickenden - Solar Lights - Path Network

This submission requests solar lighting along several of Council's paths, including the link from Alstonville to Wollongbar, North Wall and Lennox Point.

Staff response

It is agreed that lighting the path between Alstonville and Wollongbar has merit as the lighting is poor in that location.

Staff are reviewing emerging smart technologies for use with infrastructure, including solar options for public spaces that operate through movement sensors, or other smart controls.

Planned future upgrade works for paths are based on the Pedestrian Access and Mobility Plan (the PAMP) and the Bike Plan.

Council collects community suggestions for works in between each update so that we can review these in detail and consider their suitability for inclusion in the PAMP.

This project is approximately three kilometres long and would require a budget of up to \$500,000 based on standard technologies.

The PAMP and Bike Plan is updated every four to five years, with the draft DPOP including a review of both documents in 2025/26.

This project will form part of that review, although it is unlikely that street lighting can be funded to that extent, based on existing resources.

North Wall, Ballina is not a Council asset. It is owned and managed by the State Government. It is recommended that Council write to the State Government seeking support for improved lighting along this well used asset.

9.4 Delivery Program and Operational Plan - Adoption

In respect to Lennox Point, Council has previously reduced the lighting in the Pat Morton Lookout area and the Lennox Head foreshore, as there were concerns about this lighting adversely impacting native fauna.

Based on this, no further action is recommended for these locations.

Sharyn O'Kane - Footpath and Refuge - Moon Street, Ballina

A submission was received requesting footpath widening along Moon Street and a crossing point near the intersection of Burnet and Moon Street.

Staff response

This request is for the inclusion of approximately 280m (estimate \$126,000) of new shared path along Moon Street, from the intersection of Swift Street to the intersection of the Bentinck Street, Ballina.

The individual weighting of PAMP projects has determined the priority order for delivery of footpath works, over a ten-year program, containing approximately 100 individual projects.

Looking at scheduled works for the next four years, the proposed project is not considered to have a higher community benefit when compared to the planned projects.

There is an existing footpath facility for most of the eastern side, with one crossing to the west. The proposed refuge should be assessed with consideration of bus routes (to ensure road space capacity) and pedestrian demand.

The PAMP register currently includes an action to widen existing older paths connecting to the CBD.

Moon Street and Cherry Street are possible future locations for separated bike paths to accommodate emerging micro-mobility and commuter links.

It is recommended that this project be added to the register of community submissions to be formally assessed as part of the next PAMP review.

Leon Cornwell - Proposed Special Rate Variation (SRV)

This submission noted that high rates are not sustainable for property owners, especially those on fixed incomes, with reference made to farmland rates.

Staff response

The cost of delivering services and managing infrastructure, such as roads, footpaths and buildings is rising faster than the income Council receives.

Council's rate revenue is at least 11% below the average of comparable councils.

This proposed special rate variation would support the delivery of essential services and help ensure long -term financial sustainability.

9.4 Delivery Program and Operational Plan - Adoption

A second phase of consultation is proposed for the SRV from July to December 2025, which will provide further opportunities to engage with the community.

Leon Cornwell - Rating Structure

The previous submission also made comment in relation to the rating structure, proposing that rates should be based on services provided per household and not property value alone.

This would reflect a rating structure with more income from base amounts and less from property values.

Staff response

The Rating Structure was considered in the report to the 12 March 2025 Finance and Facilities Committee meeting.

The Local Government Act 1993 limits the income generated by base income to 50% for each rating category.

Council's current rating structure calculates just under the 50% maximum base for residential rates, and then applies the same base amount for all residential, business and farmland properties.

As business and farmland category properties tend to have higher land valuations (and fewer properties) than the residential category, the base amount for business and farmland categories raises significantly less than the maximum 50% (for 2024/25, around 15% and 32% respectively).

As a result, the land valuation still determines most of the total ordinary rate paid by business and farmland properties, which results in higher valued properties accepting a greater share of the rate burden.

The primary reason for implementing this strategy for business and farmland properties, was to provide a more equitable distribution of the rate burden, as a higher percentage of the income collected from the base charge had resulted in smaller land value properties paying significantly higher rates.

This rating structure recognises a correlation between the land valuation and the level of potential income able to be generated by the land for business and farmland properties (i.e. the "ability to pay" principle).

Given the complexity of modelling changes to a rating structure, and the necessity for the ordinary rating structure for 2025/26 to be adopted at this meeting, it is not possible for a change in structure, such as the one proposed by the submission, to be put into place for 2025/26.

Council has traditionally minimised changes to the rating structure, as changes do not result in increased revenue, but do vary the way the ordinary rate burden is distributed across rateable properties.

Wardell Progress Association - Footpaths - River Drive and Lindsay Crescent

This submission requested the River Drive and Lindsay Crescent footpath projects remain on the four-year Delivery Program.

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Staff response

The River Drive and Lindsay Crescent projects are listed in the PAMP for delivery in 2027/28 and 2028/29. The DPOP does not directly follow the PAMP, as there are differences in pricing compared to when the PAMP was adopted in 2018.

With significant increases in construction costs, the projects delivered within the annual budget are less, and with the priority ranking process, some of the individual projects are deferred to a subsequent financial year.

Most of the four-year program was deferred by one year, as an additional line item in the 2025/26 program called 'Existing Path Network – Renewals' was included, with a budget amount of \$330,000.

This decision followed Council's assessment of information in a report which was included in the agenda for Council's 8 April 2025 Finance and Facilities Committee meeting. This report highlighted the need to suspend the delivery of new works so that Council could address a program of asset renewal priorities.

The exhibited program of works, including an additional \$50,000 in 2027/28 and \$60,000 in 2028/29 from the proposed SRV is as follows.

Description	2025/26	2026/27	2027/28	2028/29
Footpaths and Shared Paths	560,000	578,000	647,000	766,000
Westland Drive, Ballina	95,000			
Horizon Drive, Ballina		50,000		
Mellis Circuit, Alstonville		150,000		
Moon Street, Ballina		15,000		
Shelly Beach Road, Ballina		5,000		
Castle Drive, Lennox Head		20,000		
Bonview Street, Ballina		135,000		
Tanamera Drive, Alstonville				290,000
Main Street, Alstonville (Bike Plan)		90,000		
Eyes Drive, Ballina			5,000	
Deegan Drive and Parklands Drive, Alstonville				90,000
Northumberland Drive, Ballina		13,000	199,000	
South Street, Alstonville (Bike Plan)			113,000	
Canal Road, Ballina				160,000
Teven Road, Alstonville	135,000			
Whipps Ave, Alstonville			90,000	
Jarrett Street, Ballina				108,000
Coral Street, Alstonville			20,000	
Brunswick Street, Ballina			50,000	
Greenfield Road, Lennox Head			21,000	
Queens Park Court, Wollongbar				111,000
Ballina RSL Boardwalk		100,000	59,000	
Existing Path Network - Renewals	330,000			97,000

Based on the current weighted priority for these projects and the existing amendments to the program, the current projection for the Wardell footpath works is as follows:

- Lindsay Crescent and Pine Street - \$230,000 - 2029/30
- River Drive - \$70,000 - 2029/30

9.4 Delivery Program and Operational Plan - Adoption

No change is recommended, due in part to there being a recommendation later in this report, to fund the next stage of the Wardell Town Centre Revitalisation Plan, due to Council securing grant funds of \$400,000.

The shared path projects planned for 2025/26, also include the \$3.547m for the Byron Street, Lennox Head to Cooper Close grant funded works.

Wardell Progress Association - Toilets at Boat Ramp, East Wardell

A further submission from the Wardell Progress Association is for toilet facilities at the boat ramp in East Wardell.

Staff response

The exhibited program is focussed on the renewal of existing assets that require upgrades to meet current standards and community expectations. Often these facilities are old, dated and no longer fit for purpose. The upgrade of older facilities remains a priority over the construction of new facilities.

The exhibited program is as follows.

Description	2025/26	2026/27	2027/28	2028/29
Public Amenities	387,000	160,000	160,000	160,000
Cawarra Park, Ballina	79,000			
Freeborn Park, Alstonville	148,000			
Compton Drive, East Ballina	160,000			
Lumley Park, Alstonville		160,000		
Bi-Centennial Reserve, Ballina			160,000	
Faulks Reserve, Ballina				160,000

Public toilets in Wardell are currently serviced by Fitzroy Park, which is approximately 600m from the East Wardell boat ramp.

Council can improve usage through improved signage from operational budgets and it is not recommended that Council add another toilet to the works program.

The Compton Drive toilets, as exhibited, have been recommended for deferral for one year, as part of the capital expenditure timing update later in this report. The funding is still needed for those toilets, particularly as it is intended to include "Changing Places" facilities as part of that upgrade.

Ballina Croquet Inc - Croquet Facilities and Cawarra Park

A submission from Ballina Croquet Inc requests that Cawarra Park be utilised for croquet facilities.

A submission from D Scott (Your Say 7) also requests an increase to croquet facilities at Alstonville.

A submission was also received from Carmel Smith, on behalf of the Rainbow Region Dragon Boat Club (Your Say 2) requesting that the Master Plan for Cawarra Park is prioritised for advancement in 2025/26.

9.4 Delivery Program and Operational Plan - Adoption

Submissions were also received from D Seib (Your Say 18), R Smith (Your Say 19) and Anonymous (Your Say 21), Phillip (Your Say 24), B Smith (Your Say 25) and KayBee (as part of this series of submissions), requesting that the Cawarra Park current green space be retained, or considered carefully.

Staff response

Council is currently master planning the Gap Road Sporting Fields to support an expanded croquet facility in Alstonville.

Also, at the 22 May 2025 Ordinary meeting, Council examined the suitability of croquet at Hampton Park as part of the review of the Hampton Park Master Plan.

The adopted Master Plan did not include the expansion of croquet facilities, with Council also resolving as follows:

That Council revisit the Cawarra Park Master Plan.

There is no funding in the DPOP for the implementation of the Cawarra Park Master Plan, except for \$79,000 as part of the public amenities' refurbishment program.

With Council resolving to review the Cawarra Park Master Plan, the preference is to now wait for the completion of that review, before confirming priorities for funding.

In terms of the timing for the review of the Cawarra Park Master Plan, it is intended that the review will be programmed to start once the master planning process for Treelands Reserve has advanced.

The Treelands Reserve Master Plan is an action under the 2024/25 DPOP and it would be helpful to have the principles around preferred use outcomes in place for this reserve, before progressing to Cawarra Park.

This means the review of the Cawarra Park Master Plan is likely to commence in the later part of 2025.

Given that the adopted Cawarra Park Master Plan was the subject of extensive consultation, design option work and reporting, the intended approach to the review is to prepare an initial plan illustrating how croquet lawns and pickleball courts could be located on the land, as a basis for Council to then determine if it wishes to proceed to a public exhibition process.

Previous reporting on the Cawarra Park Master Plan, including details of the community engagement outcomes can be found at:

May 2022 Ordinary meeting item 8.3 - [Agenda of Ordinary Meeting of Ballina Shire Council - Thursday, 26 May 2022](#)

October 2022 Ordinary meeting item 8.1- [Agenda of Ordinary Meeting of Ballina Shire Council - Thursday, 27 October 2022](#)

9.4 Delivery Program and Operational Plan - Adoption

Wardell CORE – Public Toilet in Central Wardell

The submission from the Wardell CORE Community Advisory Committee is requesting the installation of a public toilet in central Wardell.

Staff response

As per the response to the Wardell and District Progress Association, the works program is based on upgrading older facilities.

The Fitzroy Park public toilets are approximately 380m from the toilets proposed in this submission, and the preference is to improve signage through existing operational budgets.

Facilities and Amenities of the Wollongbar Sports Complex

The Wollongbar Alstonville Rugby Club has recommendations to improve the function and scope of the existing facilities at the Wollongbar Sports Complex.

Staff response

With the cessation of the pod village operations, significant improvement works are planned to reestablish the western sports fields at the Wollongbar Sports Fields.

This work is funded by the NSW Reconstruction Authority as part of the make good provisions of the lease.

Council will be looking to utilise the specialist machinery undertaking those works, to complete additional improvements to the fields from existing operating budgets.

Funding has been allocated in the 2025/26 budget to undertake \$40,000 in safety fencing improvements for various fields, with Wollongbar a priority for that funding.

Council is still to consider the allocation of approximately \$630,000 held in an internal reserve, being the lease income received from the NSW Reconstruction Authority for the use of the fields for the pod village.

The allocation of that funding will be subject to a further report to Council, once the make good works are completed for the Wollongbar Sports Fields.

Council Infrastructure - Upcoming developments

A submission from Gary Sanderson, noted the need for substantial Council infrastructure associated with the upcoming DA for the Saltwood / Kinvara development.

Staff response

Development controls for the provision of public infrastructure, specific to the Cumbalum Urban Release Area B (Saltwood / Kinvara) exist in Council's Development Control Plan (DCP) Chapter 3 – Subdivision of Ballina Shire. Any development application will be assessed against these controls. Council will

9.4 Delivery Program and Operational Plan - Adoption

also need to finance community infrastructure, that cannot be conditioned against development.

Parks and Playgrounds Alstonville and Wollongbar

A submission from Nat Young requested upgrades for Elizabeth Ann Brown Park, Alstonville and the Wollongbar District Park, as well as the park near the Wollongbar Public School, with these works being preferred over Campbell Park, Wollongbar.

Staff response

The draft DPOP includes the following two open space playground projects for 2025/26 as mentioned in the submission:

- Elizabeth Ann Brown Park, Alstonville - \$300,000
- Campbell Park, Wollongbar - \$155,000

The location, provision and renewal of playgrounds is based on Council's adopted Playground Upgrade and Management Plan, which is publicly exhibited and reviewed every four years, a copy of which is available on Council's website, as per the following link.

[Playgrounds | Ballina Shire Council](#)

The exhibited program of open space related works is as follows.

Description	2025/26	2026/27	2027/28	2028/29
Open Space Improvements	3,809,000	1,308,000	1,141,000	1,183,000
Crown Reserve Improvements	54,000	56,000	58,000	60,000
Alstonville Creek Restoration - Grant	516,000	430,000	86,000	
Sharpes Beach Masterplan	1,300,000			
Park Shelter and PUMP Actions	65,000	48,000		
Water Fountain Priority Program	40,000			
Safety Fencing Program	60,000			
Campbell Park, Wollongbar	155,000			
Meldrum Park, Ballina	170,000			
Montwood Park/ Caloola, Lennox	180,000			
Lilli Pilli Park, Lennox Head		164,000		
Missingham Park, Ballina	420,000		997,000	1,123,000
Ross Park, Lennox Head	60,000			
Outdoor Fitness Equipment – Various	58,000			
Elizabeth Ann Brown Park, Alstonville	300,000			
Westland Park, Ballina	165,000			
Lennox Head Basketball Court - Grant	116,000			
Prospect Park, Ballina	150,000			
Faulks Reserve, Ballina		280,000		
Lions Park, Lennox Head		90,000		
Ferngrove Park, Ballina		110,000		
Apex Park, Alstonville		130,000		

This program includes additional funding in 2026/27 to 2028/29 from the SRV, of approximately \$50,000, \$200,000 and \$300,000 for the three years.

9.4 Delivery Program and Operational Plan - Adoption

The submission references the park near the Wollongbar Public School, and this appears to be the Rubiton Street Playground, which adjoins Hill Park Sports Field.

Campbell Park is due for renewal and no change is recommended to the program for the renewal of that playground.

Rubiton Park was last renewed in 2017, with a normal life span of 15 years.

The Wollongbar District Park is a relatively new and well used facility and further improvements to this park, although desirable, are not essential, when compared to the other renewal works listed in the program.

Rural Domestic Waste Management

The proposed changes to the rural bin collection service formed part of the consultation process, with all 2,506 rural property owners provided a letter outlining the proposed change.

18 submissions objecting, and three supporting, have been received in relation to the proposed changes to the rural domestic waste charges.

These submissions were from Ewan, Steven Mitchell and Charlotte Brigel, Leon Cornwell, Christine and Bruce Kemp, Nathan Cooper, Michael Einfeld, Megan Lacy, Jessi Saad, James Taylor, David Bernstein, Julie Rosengren, Ian and Kathy Dall, Jill Lock, Alan Clay and Kerri Goodger.

In addition to this the Your Say submissions, included as Attachment 2, include the following responses:

Julienne (Your Say 1), Rhett Hackett (Your Say 6), Joshua Writer (Your Say 8), Simone Hogan (Your Say 9), Jodie Dwyer (Your Say 11), and Ross F (Your Say 20).

Staff response

The following information summarises the key issues raised and the staff response.

Submission

Reduction in annual domestic waste management charge is not proportionate to the reduced level of service to a fortnightly landfill bin collection

Staff Response

The reduced charge is proportionate to the anticipated savings from decreased service frequency, as well as reduced landfill volumes through improved recycling.

The cost of collecting waste and recycling bins only makes up about 30% of the total cost to deliver the full domestic waste service.

The remaining costs come from processing and disposing of waste and recycling (63%), and education and administration (7%).

9.4 Delivery Program and Operational Plan - Adoption

For the current 2024/25 rural service, the \$391 annual charge breaks down to approximately:

- \$75 for bin collection (weekly landfill and fortnightly recycling)
- \$286 for processing and disposal
- \$30 for education and admin

Modelling from a recent trial show that changing to fortnightly landfill collection could reduce the overall service cost by **\$73 per household**, based on:

- A \$25 saving in collection costs (fewer pickups)
- A \$48 saving in disposal costs (less waste being generated)

However, due to rising operational costs across the waste service, Council is applying a 5.5% increase to all domestic waste charges in 2025/26.

For rural residents, this adds \$22 back to the annual charge.

As a result, the proposed rural charge for 2025/26 would be **\$340**. This is a **\$51 reduction** compared to the current charge of \$391.

The proposed 2025/26 annual charge, compared to our neighbouring councils who also provide a fortnightly rural landfill collection service is as follows:

- Ballina: \$340
- Lismore: \$631
- Byron: \$663

Submission

The trial conducted in 2024 wasn't comprehensive or representative of the wider rural community and did not include large families / multiple dwelling properties.

Staff Response

A trial was conducted with 80 rural households during September 2024. The trial was designed to include households from four demographically diverse rural regions of the Shire, including a range of household sizes. These areas were Rous Mill, Fernleigh, Knockrow, and Empire Vale.

A key objective of the trial was to investigate how to best support rural residents to improve resource recovery.

Landfill bin collection frequency was reduced to fortnightly, and participants had access to a variety of educational resources.

The following table illustrates the trial audit results compared to data from the 2020 and 2022 Shire wide audits, and data from a 2023 audit of Byron Shire Council's rural bins, where a fortnightly landfill bin service has been in place for over 15 years.

9.4 Delivery Program and Operational Plan - Adoption

<i>Landfill Bin Results</i>	<i>Ballina 2020 Audit Rural Weekly Service</i>	<i>Ballina 2022 Audit Rural Weekly Service</i>	<i>2024 Trial Audit Rural Fortnightly Service</i>	<i>Byron 2023 Audit Rural Fortnightly Service</i>
Generation Rate kg/household (hh)/wk	12.10 kg	14.38 kg	10.95 kg	6.55 kg
Generation Rate Litres /hh/wk	139 litres	171 litres	99 litres	73 litres
Capacity (% full)	57.8% (weekly)	71.3% (weekly)	82 % (fortnightly)	65.6% (fortnightly)
Presentation rate	75%	75.1%	89.75%	90.7 %
Compliant organics kg/hh/wk	4.68 kg	5.58 kg	2.66 kg	2.18 kg
Compliant Recycling kg/ hh/wk	1.96 kg	1.96 kg	0.97 kg	0.89 kg

The audit results show a significantly improved environmental and resource recovery performance during the trial.

Key highlights include.

- the volume of compliant compostable organic material in the landfill bin was over 50% less than pre-trial results
- the volume of compliant comingled recycling material in the landfill bin was over 50% less than pre-trial results
- the waste generation rate per household was significantly reduced, trending lower towards Byron Shire's rural figures. This equates to approximately 440 tonnes less residual waste sent to landfill each year
- average landfill bin capacity was 82%, suggesting remaining capacity despite a reduced collection frequency
- the presentation rate of landfill bins during the trial was higher at circa 90% (mirroring Byron Shire's rate). This demonstrates a more efficient utilisation of the collection service due to the reduced collection frequency
- comparison to Byron Shire's audit results show there is still room for further improvement within our rural service.

This is expected given the maturity of Byron Shire's fortnightly rural landfill bin collection service.

- trial participant feedback generally indicated satisfaction with the changes and increased number of households managing organic waste on their property by home composting or another means.

Submission

Residents with larger households, multiple houses per property and/or home business won't cope with a fortnightly landfill bin service.

Staff Response

Council's bin collection waste services are designed in accordance with best practice guidelines to provide capacity for waste generated by an average sized household.

Our research has shown that if residents compost their organic material and put their recycling in the yellow lid recyclable bin (not in the landfill bin) the average Ballina rural household should still have 18% capacity left in the bin fortnightly (see results from 2024 trial).

For larger households who generate more waste, there is the option to purchase additional landfill and recycle bins. This aligns with the "waste producer/polluter pays" principle.

The proposed 2025/26 fees and charges, per annum, for additional bins are:

- Additional Rural Domestic Mixed Waste bin - collected fortnightly - \$140
- Additional Rural Domestic Recycling bin - collected fortnightly - \$114

These services are commonly requested by households with large families, multiple dwellings or home businesses.

Submission

Concerns regarding public health and hygiene associated with rubbish left in bins for two weeks (especially during warmer months) leading to odour, fly infestations, and increased presence of vermin. Particularly for households that generate nappies, sanitary items or medical waste.

Staff Response

There is no evidence to support negative health impacts of a fortnightly landfill bin collection, compared to a weekly service.

Results from the 2024 trial, coupled with observations and feedback from neighbouring councils who provide the same service, indicate this does not present a significant issue.

Most of the organic waste material that cause these issues, should be composted, rather than put in the landfill bin. Organic items that can't be composted can be placed in the freezer and put in the bin the evening before collection day.

Factsheets, workshops and educational material is available on the Council website and this will be provided as part of a community education and awareness campaign should the proposed changes be adopted.

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The following practical solutions are provided for households that use nappies, sanitary items or medical items and may have concerns about odour or hygiene with a fortnightly collection:

- **Reduce odour** by lining your bin with newspaper or sprinkling bicarbonate soda in the bottom. Keep your bin out of direct sunlight where possible, and make sure the lid closes properly with no cracks.
- **Research** shows that landfill bins with nappies don't smell significantly worse after two weeks compared to one. For more tips, check our [factsheet on hygiene products and bins\(PDF, 496KB\)](#).
- **Consider reusable options.** Council offers a Reusable Products Rebate of up to 50% off the cost of reusable nappies, period products, or continence products. Learn more at ballina.nsw.gov.au/reusable-products-rebate

As a last resort, ensure any disposable nappies, sanitary or medical waste are securely bagged before placing them in the bin

Submission

Increased illegal dumping, backyard burning, and burying of rubbish

Staff Response

There is no evidence from the surrounding Shires with a fortnightly landfill bin collection service to indicate greater instances in illegal dumping. Furthermore, the most common illegally dumped items (furniture, carpets, mattresses, building waste, appliances) are not items that can go in any kerbside bin.

Council's Health and Environment team actively act in relation to illegal burning of waste and waste illegally dumped on private land, if there is any evidence of who dumped the waste such as names and addresses in the waste or footage of the dumping incident inclusive of number plates etc.

Otherwise, property owners are encouraged to deter illegal dumping on their land through exclusion, signage or surveillance.

Dumping is illegal and a finable offence. Small scale illegal dumping carries on-the-spot fines of up to \$2,500 for individuals and \$5,000 for corporations caught dumping.

Maximum court-imposed penalties of \$50,000 for individuals and \$100,000 for corporations.

Maximum penalties for large-scale waste dumping offences can exceed \$2m and possible jail time.

Submission

Rural residents should be provided with a FOGO bin service like the urban areas

Staff Response

Whilst a 3-bin collection service works successfully in the urban areas, providing an additional food and garden organics bin service to rural residents is not an environmentally sound, or economically viable, option. This is due to the low density of development and large distances between households in the rural areas.

Typically, rural residents have the means and opportunity to manage organics on their properties, through home composting and other means (such as feeding animals) given the size and nature of rural allotments.

Submission

The initial letter provided to rural residents was dishonest.

Staff Response

The letter provided a factual summary of the proposed changes and reasons driving the change.

Further detailed information is also available on Council's website [Rural Landfill Bin Collection Changes | Ballina Shire Council](#) and/or via direct correspondence with the resource recovery team.

Submission

Lack of understanding of Ballina rural residents' "needs" and/or discriminating against rural residents

Staff Response

The positive results and feedback from the 2024 trial illustrate the proposed service changes are manageable and result in improved environment performance across varied sectors of the Ballina rural residents.

The fortnightly landfill bin collection frequency aligns the rural collection service to that of the urban service.

Whilst a FOGO bin service is not viable, rural residents are compensated by a lower proposed 2025/26 annual domestic waste management charge of \$340 compared to the urban charge of \$473.

Furthermore, most of our surrounding councils (Byron, Lismore, Clarence Valley and Richmond Valley) all have fortnightly rural collection services in line with best practice guidelines.

Ballina Shire is one of the only councils in our region still providing a weekly rural landfill service and there is no evidence to suggest starkly different waste generation between rural residents in Ballina and the rest of the region.

Rather, years of data show poor environmental performance from our rural bin collection service compared to neighbouring areas.

9.4 Delivery Program and Operational Plan - Adoption

Finally, a webpage including FAQs was established to provide the community with further information on the proposed changes.

The FAQs on the page consistently updated to reflect commonly themed questions received by residents through the consultation period.

Based on the relatively low proportion of objecting submissions received compared to letters sent, the recommendation remains to transition to a fortnightly landfill bin collection service model for all properties receiving a Rural Domestic Waste Management Service.

This change will also include the delivery of a comprehensive community engagement and education campaign.

Attachment 2 – Your Say Submissions

Respondents 1, 6, 8, 9, 11,20 – Rural Waste service

As per earlier comments in this report.

Respondent 2, 7, 18, 19, 21, 24, 25 – Cawarra Park, Croquet

As per earlier comments in this report.

Respondent 3 – Ballina App

This respondent is seeking an app for Ballina Shire residents, similar to the Lismore App to provide updates on festivals, events, activities etc.

The Lismore App is a privately operated application delivering news and updates on Lismore related matters.

One of the key objectives for Council remains improved connectivity with the community, especially as preferred communication methods change, particularly for younger residents.

The 2024 Micromex Community Satisfaction survey identified that the three highest preferred methods of communication from Council are:

1. Council publications in the mail – 69% reducing from 77% in 2020
2. Social media – 60% increasing from 53% in 2020
3. Ballina Wave / Lennox Wave – 58% increasing from 57% in 2022.

During the last three surveys, local television has reduced from 71% to 48% highlighting the change in preferred communication formats.

Community engagement and communication remains a key driver of satisfaction with Council and resources will continue to be allocated to the Community Connect publication, which does receive positive feedback, as well as social media updates.

Respondent 4 – Workforce Management Plan - Reconciliation Action Plan

This submission requests the inclusion of a Reconciliation Action Plan within the Workforce Management Plan.

9.4 Delivery Program and Operational Plan - Adoption

Staff Response

The draft DPOP includes an action to Develop an Aboriginal Partnership Agreement in 2025/26, with that project already underway.

A briefing was held with Councillors on this in February 2025.

The draft partnership agreement is close to being reported to Council and one outcome from that agreement may be for Council to consider a Reconciliation Action Plan.

The preference is for Aboriginal Partnership Agreement to determine what will be the preferred series of actions to be implemented.

Respondent 5 - Southern On Ramp - Cumbalum

This submission requests a southern on ramp onto the M1 off Tamarind Drive, Cumbalum.

Staff Response

The current interchange has ramps that only allow access from and exit to the north. For access and exit to and from the south, construction of the second half of the interchange is required.

There are also concerns about the performance of the interchange during storm events and rectification works are needed to mitigate flooding and provide a reliable level of access to the Cumbalum residents.

For many years Council has been attempting to secure funding for an upgrade to the Ballina Bypass Interchange at Cumbalum.

At the February 2023 Ordinary meeting, Council resolved to write to Federal and State Ministers requesting for the design process to commence for this project and that a funding allocation be made available in the budget for the upgrade.

Transport for NSW has confirmed the original interchange was designed to facilitate this upgrade and concept designs for the project are available.

The NSW Roads Minister has advised that the State Government does not consider the project to be a priority in the short or medium term.

Accordingly, efforts will continue in respect to lobbying the State and Federal Governments to support this project.

The interchange does not form part of any of Council's strategic plans as it is a Transport for NSW asset.

Council is currently preparing an update to our traffic model and Section 7.11 Roads contribution plan. This work will inform the timing and priorities for the network's future needs, including the Barlows Road Bypass project and future upgrades of Tamarind Drive.

Respondent 10 - Rating Structure Legislative Reform

This submission commented that it is critical that Council advocate for legislative reform for the rating structure. This submission proposed that there should be a rating system that differentiates between owner-occupied homes, long term rental investments and short-term or vacant properties.

It was proposed that the burden of rates should fall more heavily on the third category and that owners be required to provide residency, or show evidence of a long-term lease each quarter.

Staff Response

The current rating structure blends principles of user-pays (application of a base rate) and user-affordability (linked to property value).

A structure based on whether a property is owner-occupied or leased could be questionable in how these principles would apply and would be administratively burdensome, if not impossible, for councils to implement or maintain.

The current legislation does not allow councils to levy rates based on occupation.

There have been several reviews into rating structures by the State Government and changes to structures that allow rating based on occupation have not been adopted, most likely due to the complexity of implementing such a system.

This submission references the housing crisis, which is a serious and complex issue right across Australia. Rating structures are not typically identified as an issue to resolve that crisis, with a myriad of other factors such as lack of social housing, taxation concessions, stamp duty burdens, zoning principles, construction costs and lack of supply, all contributing to the current crisis.

Respondent 10 - Developer Accountability

This submission also requested that development approvals should include binding timelines with financial penalties for non-compliance, to provide incentives for developers to complete developments.

Staff Response

The Environmental Planning and Assessment Act 1979 provides the legislative framework under which development consents are issued.

This legislation typically provides a five-year timeframe within which a development as approved can commence. If it does not commence during this five-year period, the consent lapses.

Councils cannot require these approved developments to commence any sooner than the set timeframes.

Once a development has commenced it is subject to compliance with the conditions applied to that consent.

9.4 Delivery Program and Operational Plan - Adoption

For projects that may have multiple stages, such as residential subdivision, it is common for the timing of certain infrastructure and community services such as roads, water, sewer services and open space areas etc to be a condition of that consent, requiring completion by a nominated stage.

Respondent 10 - Roads and Transport

This submission also requested duplication of Tamarind Drive all the way to the Cumbalum Interchange and other network upgrades including a link from North Ballina to West Ballina.

Staff Response

Council has been progressing the development of a major project involving the duplication of the Fishery Creek and Canal Bridges, along with evacuation route raising for Ballina Island.

Significant grant funding was secured to enable works to proceed, with commencement of the construction works scheduled for 2025. Preliminary construction works have already commenced.

Procurement for the construction works is progressing and the latest cost estimates for the project are now well beyond the approved budget. This was reported to the 22 May 2025 meeting.

The lane duplication of Tamarind Drive included in this project, extends from Kerr Street to West of North Creek Road, including the second bridge over North Creek Canal. At this stage the extension of Tamarind Drive, from North Creek Road to the interchange is not part of the planned works.

Council is currently preparing an update to our traffic model and Section 7.11 Roads contribution plan. This work will inform the timing and priorities for the network's future needs, and the confirmed works will then need to be factored into Council's LTFP.

Respondent 12 – Daintree Drive - Stormwater Detention Basin

This submission requested a dedicated maintenance budget for the Daintree Drive basin.

Staff Response

A budget of \$25,000 been included the DPOP for 2025/26 for investigations and potential redesign of the basin.

The aim of these investigations is to determine the most effective design that minimises future maintenance costs, achieves water quality objectives, and optimises amenity outcomes for nearby residents.

The most effective solution identified by these investigations can then be costed for possible implementation.

Recent communication with residents has confirmed the scheduled maintenance frequency.

9.4 Delivery Program and Operational Plan - Adoption

The slashing and spraying of the area are scheduled for a cycle of every three to four months.

These works are funded by existing operational budgets for stormwater basins.

There are approximately forty basins on Council's maintenance program and Council does not allocate budgets individually.

Combining these budgets allows better flexibility in setting priorities for works.

Respondent 13 - Athletics Facilities - Ballina Shire

This submission requested a review of athletics facilities in the Ballina Shire.

Staff Response

Council continues to support the provision of a community level athletics facility at Chickiba Park.

NSW Athletics is currently developing a Statewide Facility Strategy.

This is expected to be finalised in July 2025 and that will help with planning for these facilities.

As part of the 30 September 2024 quarterly review of the Delivery Program and Operational Plan, the report to the 24 October 2024 Ordinary meeting, included the following estimates for the aspirational requests from sporting groups within the Ballina Shire:

Table 3 – Sports Fields Improvements

Details	Estimates (\$'000)
Sporting Clubhouse (including netball) – Kingsford Smith Reserve	2,000
Netball Show Court – Kingsford Smith Reserve	250
Sporting Clubhouse (including senior rugby league) – Kingsford Smith Reserve Enhancements – Kingsford Smith Reserve Master Plan	3,000
Missingham Park Skate Park Expansion	5,000
Cawarra Park Master Plan	1,000
Mountain Bike Trail Additions – Stokers Quarry	2,250
Multi-purpose Courts (Ballina and Lennox Head)	50
Saunders Oval – Clubhouse, Amenities and Storage	350
Fripp Oval – Clubhouse, Amenities and Storage	2,000
Skennars Head Sports Fields - Clubhouse Expansion	2,000
Skate Park – Alstonville	2,000
Squash Courts	1,000
Additional Croquet Courts (Ballina)	2,000
Additional Croquet Court (Alstonville)	1,500
Additional Pickleball Courts	300
Additional Indoor Courts	750
Athletic Track and Seating (tartan track) – Regional Level Facility	25,000
Total	60,450

This table excludes the Hampton Park Master Plan, as adopted at the 22 May 2025 Ordinary meeting. Works in the millions of dollars are also identified in that plan.

9.4 Delivery Program and Operational Plan - Adoption

The draft DPOP includes the following program of works for sports fields.

Description	2025/26	2026/27	2027/28	2028/29
Open Space - Sports Fields	1,420,000	327,000	434,000	542,000
Kingsford Smith, Ballina - Pump Track	1,200,000			
Kingsford Smith Ballina - Major Upgrades		327,000		
Saunders Oval, Ballina - Cricket Pitch	30,000			
Sports Fields Buildings - Detailed Designs	65,000			
Sports Fields Fencing – Upgrades	40,000			
Top Dressing (various)	85,000			
Geoff Watt, Alstonville - Upgrades			204,000	542,000
Gap Road, Alstonville - Upgrades			230,000	

This funding includes additional funds from the proposed SRV, in 2026/27, 2027/28 and 2028/29, of \$100,000, \$200,000 and \$300,000, respectively.

The Ballina Pump Track is funded through a combination of grants, developer contributions and funds carried forward from previous years.

The SRV process, which is for four years to 2029/30, sees the recurrent funding allocated to sports fields improvements increasing from the base figure of \$220,000 in 2025/26, to \$750,000 in 2029/30.

The \$750,000 will allow Council to substantially expand the level of works undertaken each year, however with the annual depreciation expense being approximately \$880,000, Council will continue to struggle to fund the renewal of existing assets, let alone the expansion of facilities.

This means grant funds remain a priority for major improvements.

For this submission, the preference is to wait for the Statewide Facility Strategy to then assess whether there are opportunities for Council to seek grant funds to support that strategy.

Respondent 14 - Football Facilities, particularly Lennox Head and Ballina

This submission requested ongoing investment in football-specific playing fields, particularly in high-growth areas such as Lennox Head and Ballina.

Staff Response

Council notes the continued growth and strong participation of football within Ballina Shire, with recent upgrades and improvements undertaken at all football facilities.

Council continues to make sporting fields available free of charge and spread the limited available capital budget across all sports.

Overall, as per Respondent 13, grant funds are needed for major improvements to sports fields.

9.4 Delivery Program and Operational Plan - Adoption

Respondent 15 - Clubhouse Upgrade - Saunders Oval

This submission from Ballina Touch relates to clubhouse upgrades at Saunders Oval, noting Council's allocation of \$65,000 in 2025/26 for detailed designs for certain buildings. The Association has identified several upgrade requirements and offer to provide a co-contribution of \$100,000 towards construction costs.

Staff Response

The design of buildings for Saunders Oval and Kingsford Smith Reserve are the priority projects for 2025/26, funded by the \$65,000 allocated.

The design work, once completed, will allow Council to confirm updated estimates for the works. This will then assist in confirming a funding strategy, with the \$100,000 from the Ballina Touch forming part of that strategy.

Respondent 16 - Sporting Infrastructure, Cumbalum

The submission, from the Tintenbar East Ballina Football Club, requests that Council include Cumbalum in the capital works schedule for sports fields in the four-year program.

The submission also endorses the proposed special rate variation, on the condition that funds are allocated to Cumbalum and sports infrastructure.

Staff Response

Council has undertaken recent projects at Cumbalum to support football, including lighting upgrades (2021) and Senior (2021) and Junior (2025) field drainage, noting these projects were identified as key priorities by the club in developing Council's Sport and Recreation Facilities Plan.

The Club's requests for change room improvements, futsal/multi court are new requests that will be given further consideration in future programs.

Respondent 17 - Rayner Lane, Lennox Head

This submission is seeking reconstruction of Rayner Lane, Lennox Head, during the four-year road reconstruction program.

Staff Response

The need for works on Rayner Lane was highlighted during the Lennox Village Vision project, and there have been consistent submissions, for several years, from residents for this work to be completed.

Designs have been prepared and the estimate is \$715,000. This allows for earthworks, 300mm deep pavement construction, asphaltic concrete surface, dish drains, drainage upgrades and Telstra pit replacements.

The program of infrastructure renewal works, particularly roads, is based on engineering assessments of the road condition, traffic volumes and age of the assets.

9.4 Delivery Program and Operational Plan - Adoption

Rayner Lane has not been included in the four-year program, as other locations have been assessed with higher priorities.

Based on the current ranking, Rayner Lane reconstruction is planned for around 2029/30.

Respondent 22 - Overdevelopment and Development Application Approvals

This submission notes concerns with the continued wholesale release of land for development and delays in the processing of development applications.

Staff Response

The residential subdivision and land releases that have occurred over the recent past and are currently occurring in the Lennox Head area, are a result of Council's long term strategic planning that occurred over 20 years ago, which identified future urban expansion areas and the limit of these areas.

This happened as part of the Lennox Head Community Aspirations Plan 2002 and the Lennox Head Structure Plan 2004, with robust community engagement being at the core of the preparation of these plans.

The recently developed Lennox Head Strategic Plan 2023–2043 (LHSP) builds on the principles of the two previous plans and does not propose any additional residential greenfield expansion beyond what is already identified.

Character and environment considerations are importantly highlighted in the LHSP. More broadly the recently adopted Housing Strategy 2024 highlights that the land identified in Council's planning strategies over the past 20 years provides sufficient planned greenfield land supply to meet the forecast shire population growth over the next 20-30 years.

Rather than identifying additional greenfield land to meet future population growth past the next 20-30 years, the Housing Strategy and Council's place plans instead focus on encouraging greater residential density and increased residential infill development.

Development applications are assessed against the local and state planning controls set by the Council or by the State Government. The main cause of the delays in the overall assessment times of development application relates to the complexity of State planning legislation and a shortage of qualified development assessment officers.

Respondent 23 - Climate Change Mitigation

This submission included various proposals on implementing climate change mitigation initiatives.

Staff Response

Council adopted the Climate Change Policy in 2021, which sets a framework for progressing climate change mitigation, adaptation, and resilience strategies for Council and the community.

9.4 Delivery Program and Operational Plan - Adoption

Subsequently, the Corporate Emissions Reduction Plan (CERP) was adopted in May 2024 and sets out the pathway for Council to reach its 2030 climate change targets through short-, medium-, and long-term actions and continuous improvements.

Council also has an internal staff group, being the Climate Change Action Group, that meet on a regular basis to identify opportunities for sustainable energy usage across operational and community assets and ensuring the actions of the CERP are implemented.

A Place and Public Realm Framework is currently being prepared to provide direction for the development of high quality, comfortable, environmentally sustainable streetscapes and public open spaces.

A key principle of the framework is to provide better connected pedestrian and cycle routes throughout the shire.

Transport for NSW is responsible for contracting public transport operators to deliver customer-focused transport services within the shire.

They are currently preparing an Integrated Services Plan, for public transport in the North Coast region and have recently consulted with Council staff.

It is hoped that this plan will prioritise increasing frequencies and routes of public transport within Ballina Shire and the North Coast.

Council's Urban Vegetation on Public Land Policy encourages residents to landscape and maintain nature strips in front of their house using water sensitive urban design principles.

A Community Gardens Policy also exists, encouraging the establishment of new gardens by community groups on appropriate public land.

Attachment 3 - Ballina Chamber of Commerce - Submission

This submission, which was also included in the report on the draft Community Strategic Plan, earlier in this agenda, comments on several matters relevant to the DPOP.

The items listed are as follows, with a brief staff comment, confirming that many of the actions are already underway.

1. Town Centre Revitalization and Public Realm Strategy – Ensure the strategy includes business precincts as priority focus areas and establish measurable goals.

The Public Realm Strategy is due to be reported to Council, likely the July 2025 Ordinary meeting.

2. Tourism and Destination Promotion – Retain and resource the Destination Management Plan and consider communication strategies to reinforce the value of tourism

The Destination Management Plan will be updated in 2025/26. The progress of the DMP is reported to Council quarterly.

9.4 Delivery Program and Operational Plan - Adoption

Council's tourism team promote the value of tourism via our Community Connect flip slide and industry newsletters.

3. Economic Development Strategy (EDS) – Commit to timely review of refresh of the EDS and include Chamber and stakeholders in co-design and monitoring

A proposed update of the EDS is planned to align with the update of the DMP in 2025/26. Stakeholders will be engaged throughout this process.

The preference is to ensure that the DMP and EDS are closely aligned to reinforce the importance of tourism to the local economy.

4. Ballina Byron Gateway Airport - Consider a long-term airport precinct development plan that incorporates transport links, logistics, capacity and innovation hub potential

BBGA has an adopted Land Use Plan (2022) that takes a long-term view of development of the BBGA precinct and highlights areas for future development.

5. Planning and Development Efficiency – Commit to public quarterly reporting on DA performance and service standards

Reporting on development applications to Council is publicly available and occurs quarterly.

6. Industrial Land Availability – Maintain momentum on approvals and infrastructure delivery to enable timely release, communicate status and timelines with business stakeholders.

Council has progressed two industrial land releases in 2024/25 with one finalised in 2024/25 and a further one to be finalised in 2025/26.

Updates were provided by way of Council reporting, Ward Committees and to the Economic Activation Group.

The longer-term issue is the lack of future releases of industrial land for the Ballina Shire and the Far North Coast.

7. Affordable Housing and Workforce Retention – Support the development of key worker housing through planning incentives, partnerships, and land-use flexibility.

Council is progressing a medium density housing project in Wollongbar Urban Release Area. Plans have been prepared and submitted to Council to seek approvals.

The next step is to go to tender for the construction phase.

8. Youth Employment and Job pathways – Collaborate with schools and training providers and Chamber to design a youth internship

9.4 Delivery Program and Operational Plan - Adoption

Council held a Youth Forum in May inviting 75 young people to engage with Council, in conjunction with the (Advocate for Children and Young People) to help shape the Community Strategic Plan.

In June, Council held an aviation expo where young people were offered opportunities and information about a career in aviation.

Our People and Culture section are working closely with local public high schools to provide opportunities for disengaged students with a pathway program.

Council works closely with training providers to secure apprentices, trainees and cadets, and in 2024/25 recruited more than 18 young people in these roles.

9. Rates and Financial Transparency – Accelerate the rebalance of business rate burden and establish a business rates advisory group to support transparency and fairness in rate policy

The matter for rates and charges is highly regulated, and Council has been consistently reducing the financial burden to business ratepayers.

10. Events and Cultural Activation – Coordinate more closely with the Chamber and others on event scheduling, precinct activation, and shared marketing

Council welcomes the opportunity to coordinate more closely with Chambers of Commerce and stakeholders on events and activation. Council's tourism section produces an annual events calendar, as well as frequently update this and publish in the quarterly Community Connect.

Council's communication and tourism section promotion efforts are largely driven by the event organiser and their ability to provide marketing assets to Council.

Attachment 4 - Cumbalum Community Circle

The Cumbalum Residents Association has submitted a draft Plan of Management for a proposed Cumbalum Community Circle. Due to size, this submission is included separately, as Attachment 4.

Staff Response

Council staff recognise the opportunity of this potential project, noting the benefits of environmental tourism and the provision of facilities at Cumbalum. A key consideration is where this project should sit as a priority for Council, when compared to other projects.

Further investigation would be required, including ascertaining the longer terms plans for wetland areas outside of Council ownership, including a hydrological assessment on the impacts of the sporting fields. Updated estimates are also needed for the works in plan.

9.4 Delivery Program and Operational Plan - Adoption

Council has the option of including investigations as an action in the DPOP, for a particular year, or not including an action due to the extensive number of existing priorities.

The preference is not to include this proposal as an action, as that only creates an expectation that Council can deliver the works identified in the plan and this project has not been an identified priority for Council.

The preference is to include this project in the inventory of works that Council examines as part of the annual report on Non-recurrent Community Infrastructure, which is submitted to the April Finance and Facilities Committee meeting.

That report lists all the funded and non-funded works and allows Council to confirm the preferred priorities for the four-year term of the DPOP, as well as potentially being included in the ten-year life of the LTFP.

It is also recommended that Council thank the Cumbalum Residents Association for the significant work they have undertaken in preparing the draft Plan of Management.

To help Council determine future priorities for funding it is also recommended that Council seek feedback from the Association on the priority order of works, as that would assist with potential grant and funding applications.

B. Updates based on contemporary information

This section deals with possible changes to the exhibited documents based on updated information, feedback or ideas generated from the submissions, or other suggestions for enhancements to the final documents.

Northern Rivers Watershed Initiative (NRWI)

An operating expenditure budget of \$300,000 for the NRWI is added to the 2025/26 operating budgets for the Environmental Health Section, matched by operating income.

This expenditure is fully funded by a contribution to be received from Rous County Council, under the NRWI.

The NRWI is a catchment and estuary restoration program that has been specifically devised for the Northern Rivers Joint Organisation footprint to address ecosystem health, water security and flood risk issues across the Tweed, Brunswick, Richmond and Evans River systems in an integrated fashion.

To secure the funding, Council had to focus on riparian restoration and catchment vegetation, with three projects confirmed as follows.

Project 1 – Maguires Creek - Kinane and Crown Land Property

This site has been on the radar for rehabilitation for many years due to its highly degraded nature and proximity to other riparian rehabilitation sites in the area. Due to its large area, being highly weed infested and intermittently flood prone, it acts as a major weed and sedimentation source in the lower catchment.

9.4 Delivery Program and Operational Plan - Adoption

With rehabilitation, weed transportation and the impacts of erosion and sedimentation will be improved, and it will provide habitat and resources for native species, improved visual amenity and connectivity to other successful riparian projects carried out in the area by Council, Local Land Services (LLS), OzFish, local Landcare group - Tuckombil Landcare and private landowners.

Project 2 – Maguires Creek - Bruxner to Bulwinkel

This is a continuous length of 900m of riparian area zone in the upper reaches of Maguires Creek making it ideal for riparian restoration. It is the most upstream reach of Council owned and managed riparian zone in the Maguires Creek catchment.

Parts of the site have previously been worked on by Tuckombil Landcare, with many of the large weed trees already treated. The Landcare sections only require some weed management and infill plantings. Other parts of the site are currently mown turf so revegetating these sections is a high priority to ensure bank stability, shade for the waterway and habitat connectivity.

The proposed works will improve stream bank condition and river health. The work sites are between agricultural land (grazing and Macadamia farms) and Maguires Creek.

The establishment of a healthy and thick riparian edge will reduce diffuse pollutant loadings from agricultural land.

The work will transition this section of the Maguires Creek riparian zone from mown grass / sprayed out weeds to a riparian zone of endemic species. It will also remove weed species from within the riparian zone.

The works will provide for a contiguous stretch of riparian vegetation from the Bruxner Highway to the downstream section of Bulwinkel Park.

Project 3 – Branch Creek (tributary of upper Maguires Creek) – Clondell Park

The road reserve between Teven Road to Rifle Range Road has previously been identified as a potential long term riparian revegetation project for the upper Maguires Creek catchment.

The primary reasons being there are large sections of Council road reserve adjacent to the creek, there is potential to transform areas of mown turf to healthy riparian vegetation, there are some sections with mature endemic rainforest trees in good health, and there is evidence that neighbouring / adjacent landholders are currently or have previously undertaken restoration efforts.

This section of the Branch Creek riparian zone from mown grass / sprayed out weeds to a riparian zone of endemic species. It will also remove weed species from within the riparian zone.

The works are part of a much larger project to establish a contiguous stretch of native riparian vegetation from Teven Road to Rifle Range Road.

Revitalising Wardell CBD and Ballina CBD Grant Funds

Council has been successful in obtaining grant funding under the NSW Government's Towns and Villages Resilient Business Activation Program, through the NSW Reconstruction Authority.

The successful applications are for:

- Revitalising Wardell CBD – Grant \$400,000. This application related to the Connecting to the River Component of the Wardell village Centre Revitalisation Master Plan, as adopted by Council in 2023.

The estimated cost of this component in the Master Plan was approximately \$1.05m in 2023, with no funding currently allocated in the draft Delivery Program to deliver the balance of the plan.

- Revitalising Ballina CBD on the corner of River and Martin Streets – Grant \$400,000. The reconstruction of this intersection, and connecting footpaths, is in the draft DPOP for 2026/27, based on an estimate of \$1.55m (high-level estimate), assuming the SRV proceeds. With further designs now completed this estimate has been reduced to \$1.31m.

Assuming Council wishes to accept the grants, Council is at least required to match the grant funding, and the projects must commence within six months of the date of the funding deed and be completed by October 2027.

To secure the delivery of these projects the following amendments are recommended to the capital budgets as exhibited.

Table 4 – Revitalisation Grant - Budget Adjustments

Item	2025/26	2026/27
Budgets Exhibited		
Capital Expenditure		
Revitalising Wardell	0	0
Revitalising Ballina	0	1,550,000
Skennars Head Road Segment 70	0	272,000
Skennars Head Road Segment 80	380,000	97,000
Total	380,000	1,919,000
Funding Sources		
Council Revenue	380,000	1,919,000
Total	380,000	1,919,000
Budgets Revised		
Capital Expenditure		
Revitalising Wardell	150,000	900,000
Revitalising Ballina	470,000	840,000
Skennars Head Road Segs 70 and 80	0	739,000
Total	620,000	2,479,000
Funding Sources		
Wardell – Grant	120,000	280,000
Ballina – Grant	120,000	280,000
Council Revenue	380,000	1,919,000
Total	620,000	2,479,000

9.4 Delivery Program and Operational Plan - Adoption

The road reconstruction project for Skennars Head Road segment 80 is pushed back into the 2026/27 financial year.

This will allow both Skennars Head Road segments to be constructed as one larger project and will ensure greater efficiencies for the teams, with a \$10,000 saving included in the consolidated budget, offsetting the net increase in the funding for the revitalisation project budgets.

Depot Administration Building

The 31 March 2025 quarterly financial review reported to the 22 May 2025 Ordinary meeting, included a resolution to increase the loan funding for this building by \$225,000.

Based on the settlement of the Boeing Avenue land sales prior to 30 June, it was possible to defer the need for any loan funding for this project, thus improving the General Fund operating result moving forward, and allowing opportunities for loan funds to be applied to other infrastructure projects.

Economic Development

As a result of the 8 April 2025 Finance and Facilities Committee meeting, Council resolved as follows when approving the exhibition of the draft Workforce Management Plan.

That Council include the Economic Development Officer position in the draft Workforce Management Plan 2025 to 2029.

In adopting this resolution no funding was identified for the position as part of the draft LTFP.

The feedback during the Council debate on this position related to assisting businesses in their dealings with Council, particularly the approvals processes, along with ensuring advocates for business opportunities were supported when approaching Council.

In responding to the resolution, the preferred approach is to integrate any additional resources into Council's Tourism program, and rebrand that program, and associated staff resources, as Destination and Economy.

There are already significant synergies between Council's Destination Management Plan and the Economic Development Strategy, with both documents located on the Economic Development Section of Council's website as per the following link

[Economic Development | Ballina Shire Council](#)

Council's Team Leader – Destination and Visitor Experience, currently consults regularly with the local Chambers of Commerce and local businesses, to help support their trade and growth, and additional resources have been a priority to help support that position in ongoing liaison and increased business support.

To respond to the resolution for additional economic development resources, it is proposed to recruit an industry liaison officer, to support the current Team

9.4 Delivery Program and Operational Plan - Adoption

Leader in undertaking the extra responsibilities of an increased commitment to economic development.

The dedicated business liaison position can provide that business support, while also freeing up the Team Leader position to development and implement strategies that support economic development and tourism growth.

The benefits of this approach include:

- Creates career expansion and development opportunities employees in this section, with this team having won a range of tourism and business leader awards
- Ensures the economic development activities are supported by a team and do not operate on a standalone basis
- Allows the additional position to be targeted at a level commensurate with the skills necessary for the role. This is preferred rather than trying to recruit a position to conduct a wide range of skills and duties that are often difficult to meet through the one person.
- Helps to reduce the overall net financial impact of the role as the industry liaison position is graded at a lower level than a dedicated economic development officer position. This benefit is reduced slightly by increases in the salary structure for existing positions.
- There are already existing marketing and operating budgets that can support the broader focus on economic development and tourism, reducing the need for additional budgets on top of the increased salary from the new role.
- Builds on the engagement work already undertaken by the Tourism team, ensuring continuity and reducing the risk of duplicated efforts or miscommunication with external stakeholders.
- Promotes a more cohesive internal structure, enabling cross-program collaboration and delivering a unified approach to business support, economic development and destination development

This structure is similar to the structure implemented at Lismore City Council, with the feedback on that structure being positive

All structures are regularly reviewed and if this approach is not achieving the desired outcomes, it can be reassessed in 12 months' time.

Ordinary Rate Revenue

Council must adopt the ordinary rates to be levied for 2025/26.

The rates in the dollar and base amounts in the following table reflect an increase of 3.8%, based on the IPART Approved Peg for Ballina Shire for 2025/26.

The exhibited rates, which were indicative, were as per the notional yield calculations completed prior to the 12 March 2025 Finance and Facilities

9.4 Delivery Program and Operational Plan - Adoption

Committee meeting. Those calculations were for the purpose of confirming the rating structure.

A recalculation has been completed in June 2025, with the rates as per the following table. This allows for the changes in the rating base that have occurred over the last several months.

Table 5 - Rates in the Dollar and Base Amounts – 2025/26

Rate Category	Rate (cents in \$)	Base Amount (\$)	% Income from Base Amount
Residential	0.09667	655	49.97%
Business	0.56439	655	14.94%
Farmland	0.08502	655	31.79%
Mining	0.56439	655	0.00%

The forecast average 2025/26 rates, as per these calculations, are \$1,318 for residential, \$4,246 for business and \$2,060 for farmland. This compares to the calculations presented in March of \$1,319 for residential, \$4,269 for business and \$2,065 for farmland.

The recommendations include the making of the rates and the various annual charges (i.e. waste, water, wastewater etc) included in the fees and charges.

Interest Rate for Outstanding Fees and Charges

In accordance with Section 566(3) of the Local Government Act, the Minister for Local Government has determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2025 to 30 June 2026 (inclusive) is 10.5% per annum, remaining unchanged from that determined for the period 1 July 2024 to 30 June 2025.

The draft LTFP, as exhibited, included budgeted interest income of \$110,000 for 2025/26. This budget has been revised to \$121,000 following the March 2025 quarterly budget review based on trending of this income for the 2024/25 year.

Council's normal practice has been to adopt the maximum interest rate determined by the Minister for Local Government.

The imposition of an interest rate on outstanding fees and charges is necessary to provide incentive for payment and lessening the likelihood of individual ratepayers to accumulate excessive outstanding balances, whilst also contributing to the administrative costs of Council in following up of outstanding balances.

This necessity needs to be balanced with ratepayers' ability to pay, noting that those who incur the interest charges may often be those in the community with the least ability to pay. It is also relevant to consider the differential between Council's earnings on cash investments and earnings on outstanding fees and charges.

Considering the cutting of the official cash rate by the Reserve Bank of Australia in February and May 2025, with a total reduction of 0.5%, it is reasonable to

consider whether the interest rate charged to outstanding fees and charges should also be reduced.

The recommendation to this report proposes that an interest rate of 10% be applied for the 2025/26 year, at a lower rate than the maximum rate of 10.5% determined by the Minister for Local Government. Ratepayers experiencing financial hardship can also apply for relief under Council's Financial Assistance (Hardship) Rates and Charges policy.

Fripp Oval - Remediation

Council has been successful in securing grant funding through the NSW Department of Planning, Housing and Infrastructure for remediation of a former Cattle Dip Site on the Fripp Oval Crown Reserve. The total cost of the remediation works is expected to be \$1m, with approximately \$900,000 in funding secured through the State Government.

The required planning approvals have been obtained, with works expected to be completed in the 2025/26 financial year, subject to Council allocating the difference in funding.

Fripp Oval is a crown reserve under Council control. The contamination remediation, which was identified as part of the planning feasibility assessment for the redevelopment of the adjoining land, owned by the Ballina RSL Club Limited, is essential to allow that redevelopment to proceed and to ensure there is no further contamination.

The options section of this report has a recommended funding source for the \$100,000 shortfall.

Crawford House

A resolution arising from the 8 April 2025 Finance and Facilities Committee meeting relating to Crawford House was as follows:

That Council receive a report back on options to rectify the water damage at Crawford House.

Council staff have been in correspondence with the Alstonville Plateau Historical Society Committee since April 2025, and a building condition report has been completed. A program of works is scheduled around the exhibition timings at Crawford House. This includes:

- Window repairs – scheduled June/July 2025
- Roof replacement – scheduled 2025/26 brought forward from 2026/27
- Painting – scheduled 2026/27

The window repairs will be funded from maintenance budgets. The roof replacement is in the proposed capital works program for 2025/26, funded by reprioritising works based on immediate needs of building. Refer to Attachment 5 for details of this changes.

Painting is planned for 2026/27 which is the original timeframe.

Youth Forum

Council participated in a Youth Forum in May 2025, which was attended by 75 students from all Ballina Shire secondary school. A summary of the feedback collated during the forum is included within Attachment 4 of the 'Community Strategic Plan 2025-2035' report included earlier in this agenda.

Feedback identified strong support for youth-focused initiatives, particularly the need for a dedicated multi-purpose youth centre offering support services, programs, and inclusive recreational activities. Additional suggestions included improved access to transport, more youth events and activities, and stronger mental health support.

Council needs to continue to examine options to improve youth services throughout the Shire and continued engagement through actions such as the Youth Forum are important in better understanding what strategies Council can implement to deliver improved outcomes.

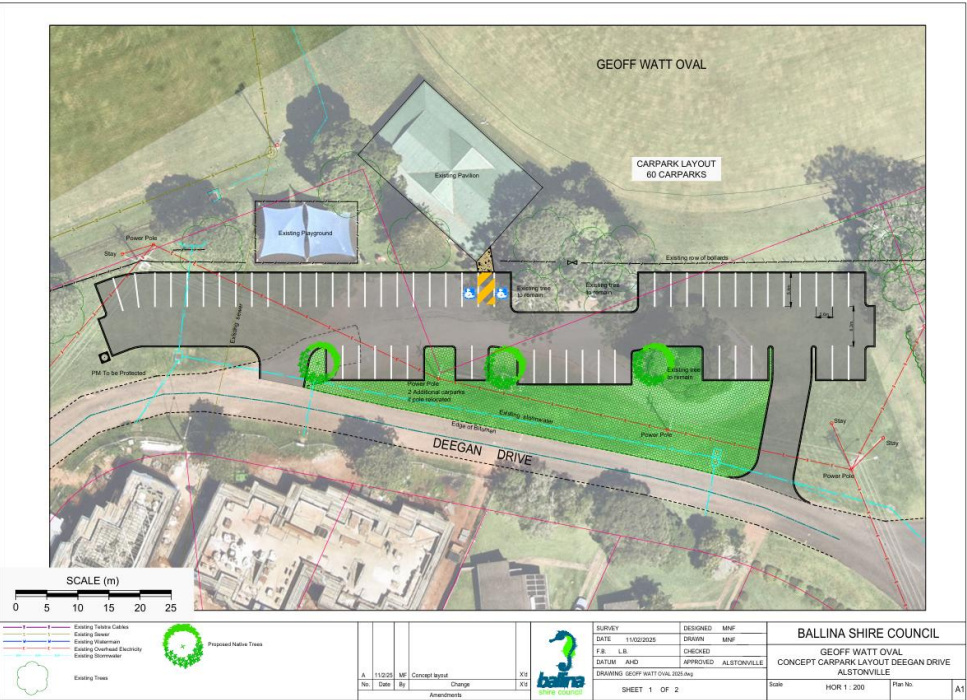
Deegan Drive and Ballina Road – Car Parks

At the Finance and Facilities Committee meeting held 8 April 2025, Council made the following recommendation, which was adopted at the 24 April 2025 Ordinary meeting.

That Council receive a report on deferring the Kalinga Street, Ballina road reconstruction in 2025/26, for one year, to fund the Deegan Drive, Geoff Watt Oval, Alstonville car park upgrade.

A concept design layout, as follows, has been prepared for the car park on Deegan Drive.

Deegan Drive and Ballina Road Car Parks – Concept Design Layout



9.4 Delivery Program and Operational Plan - Adoption

This layout creates 60 formal car park spaces, and two car parks are dedicated for disability parking.

The estimate for this project is \$352,000. The estimates allow for earthworks, 300mm deep pavement construction, asphaltic concrete surface, kerb and gutter, drainage and landscaping.

Kalinga Street is an urban distributor road that has traffic volumes of approximately 3,000 vehicles per day. The road was built approximately 40 years ago and over the last five years there has been approximately 300 defects requiring repairs.

Approximately every five years Council engages contractors to complete a full sealed road network survey. Data collected includes laser profilometry, surface defects and pavement deflections.

This data allows Council to cross check our existing programs and identify roads that are deteriorating quicker than anticipated.

Of the latest three road network data sets to draw from, two are pre flood (April 2013 and September 2019) and the other post flood (December 2022).

This allows a comparison of profilometry data from 2013 to 2022 and understand the rate of deterioration of a road segment.

In reviewing the data for Kalinga Street, there has been considerable decline in the road condition following the 2022 flood event. The data indicates that the pavement cracking has risen from approximately 6% in 2019 up to 72% in November 2022.

Repairing cracks is essential for maintaining pavement integrity as it protects the pavement from water intrusion. The segment also has approximately 40% of the surface now requiring heavy patching, or shape correction.

It is not efficient to continue with the standard maintenance interventions of heavy patching and resealing and the segment should be reconstructed.

Therefore, no change to the program is recommended.

Car Parks – Park Avenue, Alstonville

At the Finance and Facilities Committee meeting held 8 April 2025, Council made the following recommendation, as adopted at the 24 April Ordinary meeting.

That Council receive a report on stormwater and roadworks for Park Avenue, Alstonville, for inclusion in the 2025/26 Delivery Program and Operational Plan.

Staff Response

A concept design layout, as follows, has been prepared for the car park on Park Avenue. This layout creates 33 formal car park spaces, and one car park dedicated for disability parking.

9.4 Delivery Program and Operational Plan - Adoption

The estimate for this project is \$125,000. This estimate allows for earthworks, 300mm deep pavement construction, asphaltic concrete surface, kerb and gutter, drainage, footpath link and landscaping.

To help resolve the concerns of parking for the tennis courts and pickleball facility another option would be to upgrade the existing gravel car park in Lumley Park. This layout creates 17 formal car park spaces, and one car park dedicated for disability parking.

The estimate for this project is \$50,000. This estimate allows for asphaltic concrete surface, new entrance, footpath link, line marking and landscaping.

It is unlikely this work will increase the capacity; however, it will improve the amenity and therefore the use of the carpark.

This car park is on a Crown Reserve that has a successful native title claim. Any works on the reserve may take time for the necessary approvals.

Park Avenue Car Parks – Concept Designs and Layouts



9.4 Delivery Program and Operational Plan - Adoption

These projects have not been allocated a funding source, which means Council needs to defer works to allow the projects to proceed.

Capital Works Program – Review of Delivery Timing

The exhibited draft Operational Plan included over \$132m worth of capital works for 2025/26.

It is important that the annual capital works program is achievable, considering planning approvals, timeframes for tenders and overall staff resources.

A review of the capital program has been completed to confirm what should be expended during 2025/26, as well as 2026/27.

This review has resulted in the capital works program being reduced to approximately \$114m for 2025/26.

The revised program is included as Attachment 5 to this report, with the Attachment including the General Fund, Water Fund and Wastewater Fund capital expenditure programs. Where a change is included, the project has been highlighted in yellow.

The columns titled “Draft LTFP” represents the exhibited information and the columns titled “Recommended” reflects the revised timing.

The Attachment only includes projects for 2025/26 and 2026/27, whereas the Delivery Program has a four-year program of works. Only years 2025/26 and 2026/27 are reviewed due to the more immediate timing of those works.

Where a change in timing is recommended, this does not mean the project is not being delivered, rather it is a better reflection of the likely cash flows.

Comments have been included in Attachment 5 to explain changes that may not be self-explanatory.

Where a Water and Wastewater budget is changed, the funding is sourced, or returned, to the reserves held for those funds.

In respect to the General Fund capital projects, the changes to budgets relate to grant funds being secured (Wardell and Ballina Revitalisation) or increases in existing grants (Essential Public Asset Repair - EPARs).

The one major budget change relates to the proposed Ballina SES building, with the project manager now seeking funding of \$6.7m, to recognise costs related to water main works (\$150,000), electricity (\$200,000), survey (\$50,000) and an updated quantity surveyors estimate of \$6.3m.

This represents a total budget of \$6.7m for 2025/26 and 2026/27 compared to the current funding of \$6m.

The options section of this report has a recommended funding source for the \$700,000 shortfall.

Alstonville Aquatic Centre

The contractor for the Alstonville Aquatic Centre, G & K Fettell Pty Ltd, has written to Council seeking a variation to the contract fee.

A confidential report has been included in this meeting agenda, which details the request and the commercial negotiations underway.

Airline Agreement – Ballina Byron Gateway Airport (BBGA)

Council staff and specialists have been in negotiations with the airlines including Qantas Group (that includes Jetstar) since March 2024.

The negotiations are in their final stages and a confidential report has been included in this meeting agenda, which provides a status report.

The revenue from the airlines is a major source of income for the BBGA.

Councillor and Mayoral Fees for 2025/26

Sections 248 and 249 of the Local Government Act require councils to fix and pay an annual fee to councillors and mayors based on determinations made by the Local Government Remuneration Tribunal.

The Tribunal is required to determine the remuneration categories of councils and mayoral offices, at least every three years, and the level of fees depending on the category the council is in.

The Local Government Remuneration Tribunal last undertook a significant review of the categories as part of its 2023 determination and will next review these categories in 2026.

Ballina Shire remains within the “Regional Centre” classification.

A council cannot fix a fee higher than the maximum amount determined by the Tribunal. If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The Tribunal determined an increase of 3% for 2025/26 to the minimum and maximum fees applicable to each category. The recommendation is to adopt the maximum councillor and mayoral fees for 2025/26 as determined by the Local Government Remuneration Tribunal.

New Fees

Section 610F (3) of the Local Government Act states, in summary, that if a fee has not been exhibited as part of the Operational Plan, Council can give 28 days’ notice of the fee, and then commence charging that fee, without the need for calling submissions.

The following three items are fees that are recommended for exhibition and implementation as per Section 610F (3):

9.4 Delivery Program and Operational Plan - Adoption

1. Waste – Subsidised Compost Bin for Rural Domestic Waste Customers

Forming part of the broader community education and awareness support program associated with the recommended change to the rural bin collection service, residents receiving a rural domestic waste management service would be entitled to purchase a subsidised compost bin. This initiative aims to encourage residents to home composting organic matter that is currently put in the landfill bin.

The proposed fee is \$30 per compost bin (delivered by Council), with a maximum of two available per property. This amount includes a subsidy of approximately 50% of the purchase and delivery cost.

2. Ferry Fee for Bicycles

For the period 2019/20 to 2022/23, Council adopted the following fees for bicycle use of the ferry:

	2019/20	2020/21	2021/22	2022/23
Single Use	\$1	\$1	\$1	\$1
Annual Ticket	\$54	\$55	\$56	\$57

Operationally the cost / benefit of this fee was debatable, and for 2023/24, the fees for bicycle use were removed.

The removal of the fees, at that time, was due to concerns regarding the practicality of this fee noting that for casual users, the payment was made by Eftpos, There were concerns regarding compliance with the fee, noting that the driver must operate the ferry and collect the fee from all the various riders.

There has been no bicycle fee for the 2023/24 or 2024/25 year.

Council's ferry staff have recently put forward a proposal to reintroduce the fee for bicycles crossing the ferry.

Over the past year, the ferry drivers have noticed a marked increase of bicycle traffic, especially on weekends, from local groups of up to 15 riders, and on Monday mornings there are groups of up to 30 riders at one time, travelling together. Since December, there has also been a noticeable increase in E bikes, which take up the same space as motorcycles, which are charged \$3 a crossing.

The recommendation for reintroduction of a fee is in consideration of the space that bicycles are taking on the deck, especially when there is a full load of cars and heavy vehicles crossing at the same time.

The recommendations include the addition of a fee for bicycles of \$1 for Single Ticket and \$57 for Annual Tickets.

3. Overdue Administration Fee - Food and Other Commercial Premises

As part of Council's public health responsibilities, a core duty is to administer, register and inspect food premises and other commercial premises, such as beauty salon and skin penetrators.

9.4 Delivery Program and Operational Plan - Adoption

Council spends considerable time following up the payment of the annual fees and has introduced a new process which also includes the commencement of an external debt collection service for outstanding payments.

To encourage the payment of fees and to minimise the resources involved in debt recovery, a new administration fee is proposed for those premises that do not pay on time and remain outstanding for over three months.

The Overdue Administration Fee proposed is \$240 based on the one-hour professional fee rate for the Health and Environment Section. This fee is in addition to the standard registration and inspection annual fee that applies (which can range depending on the size and nature of business, refer pages 44 and 45 in Fees and Charges).

Special Rate Variation (SRV)

The draft documents, as exhibited, included information on the SRV, with limited submissions commenting on the proposal. Two of the tables included in the draft DPOP are as follows:

Table One – Rate Peg Only Comparison

Table One is based on the standard rate peg increase without any special variations.

Item	2025/26 Forecast	2026/27 Forecast	2027/28 Forecast	2028/29 Forecast	2029/30 Forecast	Cumulative Change
Rate Peg % Increase	3.80%	3.25%	3.25%	3.25%	3.25%	13.65%
Average Residential Rate (\$)	1,319	1,362	1,406	1,452	1,499	180
Average Business Rate (\$)	4,269	4,408	4,551	4,699	4,852	583
Average Farmland Rate (\$)	2,065	2,132	2,201	2,273	2,347	282

Two key items of information in this table are:

1. The 3.80% rate peg percentage increase for 2025/26 is the actual rate peg figure determined by IPART for that financial year.
2. The 3.25% applied for 2026/27 and future years is an estimated rate peg increase.

Table Two – Proposed SRV (for 2026/27 to 2029/30)

Table Two provides details of an SRV on top of the estimated rate peg over a four-year period.

Item	2025/26 Forecast	2026/27 Forecast	2027/28 Forecast	2028/29 Forecast	2029/30 Forecast	Cumulative Change
Rate Peg % Increase	3.80%	6.00%	6.00%	6.00%	6.00%	26.25%
Average Residential Rate (\$)	1,319	1,398	1,482	1,571	1,665	346
Average Business Rate (\$)	4,269	4,525	4,797	5,085	5,390	1,121
Average Farmland Rate (\$)	2,065	2,189	2,320	2,459	2,607	542

Two key items of information in this table are:

1. The 3.80% rate peg percentage increase for 2025/26 is the actual rate peg figure determined by IPART for that financial year.
2. The 6.00% applied for 2026/27 to 2029/30 represents an estimated rate peg of 3.25% and an additional 2.75% (11% divided over four years).

9.4 Delivery Program and Operational Plan - Adoption

The proposed distribution of the additional funds was included as Appendix B in the draft DPOP, reproduced as follows.

Service	2026/27	2027/28	2028/29	2029/30
Additional Capital				
Open Spaces	50,000	200,000	300,000	310,000
Sports Fields	100,000	200,000	300,000	500,000
Roads Reconstruction	150,000	300,000	475,000	550,000
Footpaths and Ancillary	0	50,000	150,000	210,000
Community Facilities	80,000	160,000	300,000	750,000
Stormwater	100,000	200,000	375,000	550,000
Sub Total	480,000	1,110,000	1,900,000	2,870,000
Expanded Operating				
Healthy Waterways Program	45,000	100,000	105,000	110,000
Biodiversity Strategy	45,000	100,000	100,000	100,000
Roads Operations	100,000	103,000	214,000	250,000
Stormwater Operations	10,000	90,000	93,000	196,000
Open Spaces Operations	100,000	140,000	280,000	324,000
Facilities Operations	45,000	100,000	120,000	140,000
Crime Prevention Programs	50,000	102,000	105,000	108,000
Sub Total	395,000	735,000	1,017,000	1,228,000
Total	875,000	1,845,000	2,917,000	4,098,000

For the capital expenditure, two works programs were included, one with the SRV and one without.

The Independent Pricing and Regulatory Tribunal (IPART) was contacted during the exhibition period to seek their feedback on ensuring Council complies with the SRV guidelines.

The response from IPART was relatively generic stating as follows:

Based on the Guidelines, Council's IP&R documents should aim to address the following key areas:

- **Clear articulation and purpose:** *the need for a different revenue path should be clearly identified in the Delivery Program, Long Term Financial Plan (LTFP), and where relevant, the Asset Management Plan, including the consideration of alternatives to a rate rise*
- **Scenario modelling:** *the LTFP should compare a baseline scenario (scenario without the SV) and SV scenarios, showing the financial impact of each on the Council's financials.*
- **Demonstrated community awareness and engagement:** *Council must provide evidence that the community is aware of the proposed SV, its extent (in both percentage and dollar terms), and the reasons for it, using a variety of engagement methods*
- **Assessment of community impact:** *the Delivery Program and LTFP should detail how the proposed rate rise would impact ratepayers and demonstrate consideration of affordability and community capacity to pay.*

- **Status of IP&R documents:** *The relevant IP&R document (including Asset Management Plan if the purpose includes infrastructure) should be exhibited and formally adopted, and up to date at the time of application*
- **Efficiency measures:** *Council should outline past and planned productivity improvements and cost containment strategies, and quantify their estimated financial impacts in the LTFP.*

Staff will continue to review and update the IP&R documents, where areas are identified that could improve compliance with the guidelines.

Further consultation with the entire community (potentially through a letter to each ratepayers) is planned during the period July to December, to ensure there is compliance with the condition requiring the community to be informed on the proposal.

The standard timeline for an SRV application is for Council to decide to proceed, or not proceed, by December or January, with the application then submitted to IPART.

IPART then issue their determinations in late May / early June, for the following financial year.

Work has already commenced on collating the efficiency measures, with a summary of that information as follows. This information will be included in Council's IP&R documents.

Efficiency Measures

Several measures have been undertaken in 2024/25, with more planned in future, and they include:

1. SMS messages on overdue rates and charges – The introduction of SMS reminder messages has reduced the amount (by 10%) of reminder letters being sent to ratepayers and improved timeliness of payments. The introduction of SMS commenced in March 2025.
2. Commercial Waste Administration – Administration improvements for commercial waste collection were implemented in 2024/25. The process was annual, and now occurs every two years.
3. Introduction of Asset Valuation Software – Improves audit process to identify anomalies in the asset revaluation process for Infrastructure Property, Plant and Equipment (IPPE). This was introduced in 2025.
4. Water and Wastewater Assets Insurance – In 2024, Council resolved to transfer the insurance premiums of approximately \$200,000/annum to reserve for self-insurance. The insurance premium paid for 2023/24 was in the order of \$190,000, with an excess of \$100,000. This new model provides Council with an effective cost containment strategy.

9.4 Delivery Program and Operational Plan - Adoption

5. Ballina Wastewater Treatment Plan - Three of five essential components of the treatment plant failed, and money was spent unsuccessfully with contractors. Staff undertook the repairs internally and improved functionality to ensure compliance with environmental standards. Staff sourced parts directly from the German manufacturer, saving Council \$54,000.
6. Burns Point Ferry Maintenance Improvements – Historically, the ferry is put into slip every year at a cost of more than \$200,000. Changes were made in 2024/25 for the annual maintenance to be undertaken internally by Council workshop staff on the water. This saved \$75,000 in costs in 2024/25.
7. Rural Waste Collection Changes – Reducing the collection of landfill bins from weekly to fortnightly, to align with the urban collection is planned in 2025/26, subject to endorsement from Council. The service model will improve diversion rates away from landfill and result in significant operational savings, as well as a reduction in annual charges.
8. Motor Vehicle Insurance – Increased the excess on motor vehicle insurance for 2025/26 with proposed premium savings of approximately \$30,000 per annum.
9. Construction and Material Re-use – Improved practices in the re-use of materials in the road reconstruction area has achieved savings in the hundreds of thousands of dollars in reduced transport and landfill fees.
10. Water Leakage – In recent years the unbilled water percentage has decreased from more than 20% to close to 10%, representing additional revenue of more than \$1m for Council's Water Operations.

Depreciation Expense

Council has been required to do a revaluation of road and ancillary and stormwater assets as part of the 2024/25 Annual financial Statements.

Based on these updated figures the forecast depreciation and loss on disposal expense for 2025/26, both non-cash items, has increased from the exhibited figure of \$25.07m to a revised figure of \$25.92m.

This represents a total increase of \$850,000, which negatively impacts the operating result for the General Fund.

Martin Street Boat Harbour

Council was, for several years, advancing an adopted Master Plan for the Martin Street Boat Harbour, to improve the foreshore and provide a contemporary marina, albeit small in size.

The Martin Street Boat Harbour is a facility located on Crown Land and Transport for NSW – Maritime (TfNSW) is the Crown Land Reserve Manager.

9.4 Delivery Program and Operational Plan - Adoption

In 2021 Council received a grant under the NSW Boating Now Program to partly fund the investigation of the maritime/marine components of the master plan to the next phase.

Hydrosphere Consulting was appointed to complete a scope of works that included preliminary engineering investigations, the development of options and a concept design, cost estimate, and planning pathway considerations for potential future upgrading of the boat harbour.

Exhibition of the draft concept plans took place during 2024, with feedback on the submissions reported to the 22 August 2024 Ordinary meeting.

As a result of this report, Council resolved as follows:

1. *That Council take no further action in respect of the exhibited plan.*
2. *That Council receive a further report to consider options around upgrading the area focused around land improvements.*

Staff have developed a high-level plan consistent with item two, focusing on additional planting and minor improves to landscape and facilities.

An indicative layout and cost estimates are set out as follows.

Embellishment Plan – Martin Street Boat Harbour

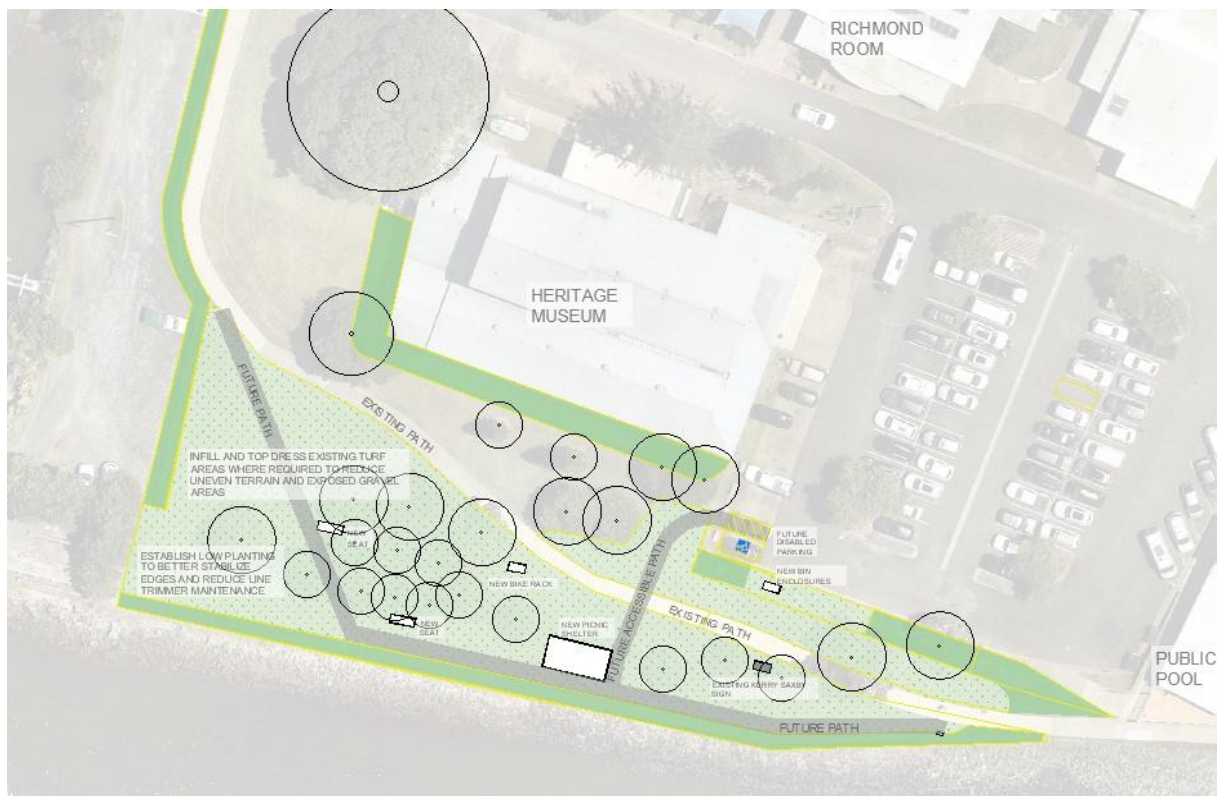


Table 6 - Embellishment Estimates – Martin Street Precinct (\$)

Item	Area/Unit	Rate (\$)	Estimate (\$)
Top dressing and infill of uneven ground	n/a	80	8,000
New planter beds, plantings, spade edge	n/a	180	22,400
New shelter	1	27,000	27,000
New picnic setting	2	8,000	16,000
New bike rack	1	500	500
New double bin enclosure	1	10,000	10,000
New benches	3	5,800	17,400
Total			101,300

There is currently no funding identified for this project, with the intention being to utilise existing operational budgets to incrementally undertake works as opportunities arise.

Delivery Program Strategy / Operational Plan Activity

The adoption of the draft Delivery Program and Operational Plan establishes the priorities and key actions for the next four years, with a specific focus on 2025/26.

Quarterly reports are provided to Council on the implementation of the actions in the Operational Plan.

Community Engagement Strategy

Council advertised the draft Delivery Program and Operational Plan for public comment from 8 May to 6 June 2025.

The Your Say webpage was viewed 1,311 times.

This is an increase on last year where the page views were 875.

Eight documents were posted, and downloaded 783 times (225 in 2024/25), the most popular download being the Delivery Program/Operational Plan (266 times), followed by the Community Strategic Plan (186 times), Fees and Charges (115 times), the Long Term Financial Plan and Budget (78 times), Workforce Management Plan (74 times), Strategic Asset Management Plan (38 times), and then the Long Term Financial Plan Summary (26 times).

At the close of the exhibition period, twenty-five submissions were received via the Your Say online survey.

Several written submissions are included as Attachment 1 to this report and the Your Say submissions are included as Attachment 2.

A Q&A tool was also enabled on the Council webpage, which allows the community to post a question online and have it answered by staff.

Nine questions were posted and answered via this tool.

Financial / Risk Considerations

Based on the latest available information the ten-year forecast for the General Fund is as per the following table, inclusive of the proposed SRV.

9.4 Delivery Program and Operational Plan - Adoption

Table 7 - Forecast General Fund Operating Result (\$'000)

Year	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35
Operating Income	100,435	105,604	110,988	115,608	120,922	124,211	128,492	132,949	137,672	142,482
Operating Exps	79,060	81,899	85,715	88,706	91,496	92,821	95,942	99,012	101,428	104,521
Result before Non-Cash items	21,375	23,705	25,273	26,902	29,426	31,390	32,550	33,937	36,244	37,961
Less Depreciation and Non-cash	25,920	26,676	26,738	27,592	28,471	29,378	30,314	31,280	32,276	33,302
Surplus/(Deficit)	(4,545)	(2,971)	(1,465)	(690)	955	2,012	2,236	2,657	3,968	4,659
Work Cap Result	(706)	(685)	(649)	(652)	(267)	128	455	774	1,185	1,595
Work C Balance	2,425	1,740	1,091	439	172	300	755	1,529	2,714	4,309

The assumption is that the implementation of the SRV will allow Council to achieve an operating surplus for the General Fund, in the fourth year of the SRV, being 2029/30.

The figures in this table do not include any changes arising from this report.

Options

The options include amending the recommendations and / or varying the works and services and / or the proposed fees, charges and rates.

The recommendations reflect the contents of the report.

In respect to the submissions, there is a general recommendation covering most of the submissions, where no major change is recommended to the exhibited DPOP (Recommendation 4), however there are also a series of recommendations where a specific action is being undertaken, particularly where it involves the allocation of funding.

There are three specific projects mentioned in this report where funding is recommended.

1. Ballina Naval and Maritime Museum (BNMM) - \$100,000

As per the information section, the proposed renovation works are now based on a revised estimate of \$450,000, with the BNMM in a position to contribute \$350,000, leaving a shortfall of \$100,000.

With Council only required to contribute less than 25% of the total cost, for a well-used community asset, this is reasonable investment.

Council does not have any specific internal reserves set for this type of project and the only realistic funding source is a dividend from the Community Infrastructure Reserve, which is funded through Council's commercial property activities.

The draft LTFP forecasts the following closing balances for this reserve for the next five years:

Table 8 – Community Infrastructure Reserve – Forecast Balances (\$'000)

Financial Year	2024/25	2025/26	2026/27	2027/28	2028/29
Closing Balance	3,858	4,795	2,243	3,584	1,014

9.4 Delivery Program and Operational Plan - Adoption

Major transfers from this reserve, for the four-year term of the DPOP, plus the current financial year as per the following table.

Table 9 – Community Infrastructure Reserve – Major Transfers (\$'000)

Financial Year	2024/25	2025/26	2026/27	2027/28	2028/29
Wardell Town Centre	418	0	0	0	0
Lennox Head RFS Shed	267	0	0	0	0
Alstonville Swimming Pool	32	47	0	0	0
Facilities – Gallery Deck	70	0	0	0	0
Alstonville Cultural Centre	0	5,000	5,000	0	0
Ballina SES Building	0	300	4,000	0	0
Dividend – Unallocated	0	0	0	4,000	3,000
Town Centre Loan Payments	478	478	478	478	478
Totals	1,265	5,825	9,478	4,478	3,478

The major transfers relate to the Alstonville Cultural Centre refurbishment and construction of the new Ballina SES building.

There are nominal transfers of \$4m in 2027/28 and \$3m in 2028/29, which are currently unallocated, and the actuality of the availability of those funds is dependent on several major land sales during the next two financial years, as well as the final cost of the planned major projects.

Importantly, as per Table 8, the reserve is still forecast to have a closing balance of \$1,014,000 by 30 June 2028/29, which means Council could take an extra \$100,000 dividend from the reserve in 2025/26 to finance the \$100,000 shortfall for the BNMM.

This is the recommended approach.

2. Fripp Oval – Remediation - \$100,000

Council has obtained State Government grant funding of \$900,000 for this project, and based on an estimated cost of \$1m, Council needs to contribute \$100,000.

Council could defer a capital works project to fund the contribution, although the funding allocated to the Open Spaces Section for playground renewal and sports fields is well short of the annual depreciation expense already.

In reviewing the forecast balances for internal reserves, a combination of funds could be sourced from:

- Crown Properties Reserve – This reserve is funded from movements in income and expenditure on Council managed crown buildings. The reserve has a forecast balance of \$107,000 as at 30 June 2026 and it is recommended that \$25,000 be sourced from this reserve
- Environmental Health and Waterways – This reserve is forecast to have a closing balance of \$196,000 as at 30 June 2025 and it is recommended that \$50,000 be sourced from this reserve
- Stormwater Renewals - This reserve is forecast to have a closing balance of \$438,000 as at 30 June 2025 and it is recommended that \$25,000 be sourced from this reserve

3. Ballina SES Building - \$700,000

This building is currently funded through the \$4.3m in Community Infrastructure Reserve transfers identified in Table 8, and \$2.1m in grant funds for a total budget of \$6.4m. Approximately \$400,000 has been expended in 2023/24 and 2024/25, obtaining all the necessary planning approvals and design works.

It was anticipated that another \$6m would be expended to deliver the building, funding as follows.

Table 10 – SES – Funding Sources for 2025/26 and 2026/27 (\$)

Financial Year	2025/26	2026/27
Grant Funds	1,700,000	0
Community Infrastructure Reserve	300,000	4,000,000

The project manager has now advised that \$2.7m is needed in 2025/26 and \$4m in 2026/27 based on updated estimates.

Similar to the Ballina Naval and Maritime Museum project, the only real funding option immediately available for this project is a further dividend from the Community Infrastructure Reserve.

This increases the current transfer from \$300,000 to \$1m.

Following adjustments to the interest accrued for the Community Infrastructure Reserve, the revised forecast closing balances for this reserve, based on the additional funding for the Naval Museum and the SES building are now as follows.

Table 11 – Community Infrastructure Reserve - Revised Balances (\$'000)

Financial Year	2024/25	2025/26	2026/27	2027/28	2028/29
Closing Balance	3,858	3,995	1,403	2,702	88

Based on the forecast closing balance for 2028/29, this means there is no additional funding available to allocate immediately to additional projects, although as per Table 9, there are still unallocated dividends of \$4m in 2027/28 and \$3m in 2028/29, subject to future land sales being achieved, and there not being further major changes to projects.

Tenders for the Ballina SES building should be reported to Council within the next three months, which will then allow Council to confirm the final project budget.

In the interim, to ensure the project can proceed, the recommendation is to allocate an additional \$700,000 from the Community Infrastructure Reserve.

There are several other projects listed in this report, where Council may wish to allocate funding.

The funding options available always relate to:

- Swapping projects around – Always preferred as it does not negatively impact the overall financial position of Council

9.4 Delivery Program and Operational Plan - Adoption

- Use of Internal Reserves – Only an option where a reserve(s) is identified
- Use of Working Capital – Not recommended as there is already a working capital deficit forecast for 2025/26
- Loan Funds – Always a last resort option, as it has ongoing negative impacts on Council's financial position. Ideally there should be a funding source to finance the loan principal and interest repayments.

Finally, it is important that Council ensures that any actions or key tasks planned for 2025/26 are included in the 2025/26 Operational Plan, as the adopted actions are where Council's resources are allocated for the next 12 months.

This then also reduces the need for ad hoc notices of motions during the year that can redirect resources away from the adopted Delivery Program and Operational Plan.

RECOMMENDATIONS

1. That Council adopts the 2025/26 to 2028/29 Draft Delivery Program and 2024/25 Operational Plan, which includes the Long-Term Financial Plan (budget), Workforce Management Plan, Fees and Charges, and Strategic Asset Management Plan as exhibited, inclusive of any amendments arising from this meeting.
2. That Council resolves to make the annual charges for 2025/26 as detailed in the Fees and Charges document that forms part of the Delivery Program and Operational Plan for Domestic Waste Management, Stormwater, Waste Management Operations, Water Services, Wastewater Services and Onsite Septic Management
3. That Council approves the formation of a Working Party, consisting of all Councillors, to review the submissions received for Community Donations and Capital Works Assistance for Sporting Groups, as per Tables One and Two of this report.

The recommended allocation of the funding from the Working Party is to be reported to the July 2025 Ordinary meeting.

4. That Council notes the contents of this report in respect to the submissions received on works and services, and thanks the people making the submissions for their time and effort in writing to Council.
5. That in respect to the submission from the Ballina Naval and Maritime Museum (BNMM), Council include the proposed renovations of the Museum in the capital works program for 2025/26 based on a total cost of \$450,000 funded through a contribution from the BNMM of \$350,000 and \$100,000 transfer from the Community Infrastructure Reserve.
6. That in respect to the submission from Elisha Quickenden for solar lights, Council write to the State Government seeking solar lighting for North Wall, Ballina, with the other requests forming part of the next review of the Pedestrian Access and Mobility Plan (PAMP).

9.4 Delivery Program and Operational Plan - Adoption

7. That Council makes note of the extensive work undertaken by the Cumbalum Residents Association, in preparing the draft Plan of Management for the Cumbalum Circle.

Council will include that Plan of Management in the annual inventory of works requiring funding as part of the Non-recurrent Community Infrastructure report, submitted each year to the April Finance and Facilities Committee meeting.

Feedback is also sought from the Residents Association on the preferred priority of works to implement the plan.

8. That Council resolves to proceed with the proposed change in the Rural Domestic Waste Landfill Bin Collection Service, reducing from weekly to fortnightly, based on a commencement date of 1 October 2025.
9. That Council approves the inclusion in 2025/26 of operating income and expenditure budgets, of \$300,000, for the Regional Watershed Initiative, recognising the grant funding provided by Rous County Council.
10. That Council approves the inclusion of the Revitalising Wardell CBD and Ballina CBD Grant Funds, based on the funding outlined in Table 4 of this report.
11. That Council approves the inclusion of a project budget of \$1m for Fripp Oval Contamination Remediation in 2025/26, funded from a State Government grant of \$900,000 and the balance sourced from the following internal reserves; Crown Properties \$25,000, Environmental Health and Waterways \$50,000 and Stormwater Renewals \$25,000.
12. That Council approves an increase in the project budget for the new Ballina SES building, from \$2m to \$2.7m in 2025/26, with the additional funding sourced through a transfer from the Community Infrastructure Reserve. This results in a total project budget of \$6.7m for 2025/26 and 2026/27.
13. That Council resolves to make a base rating structure applicable to all rateable land for the levy of the 2025/26 Ordinary Rates as per the following structure.

Rate Category	Rate (cents in \$)	Base Amount (\$)	% Income from Base Amount
Residential	0.09667	655	49.97%
Business	0.56439	655	14.94%
Farmland	0.08502	655	31.79%
Mining	0.56439	655	0.00%

The rate in the dollar for 2025/26 applies to the land value of all rateable land within the relevant category.

14. That Council adopts an interest payable on overdue rates and charges for the period 1 July 2025 to 30 June 2026 (inclusive) of 10% per annum, noting that this is below the maximum allowable of 10.5% determined by the Minister for Local Government.

9.4 Delivery Program and Operational Plan - Adoption

15. That Council approves the revised cash flows and budgets for the capital expenditure program, as per Attachment 5 to this report, for inclusion in the 2025/26 to 2028/29 Delivery Program and Operational Plan.
16. That Council adopts the maximum Councillor and Mayoral fees for 2025/26 as determined by the Local Government Remuneration Tribunal, being 3%.
17. That in accordance with Section 610F (3) of the Local Government Act Council authorises the exhibition of the following fees, for a minimum period of 28 days, for implementation following that exhibition period:
 - a) Compost Bin Fee - \$30 for Rural Domestic Waste Management properties
 - b) Casual Ferry Bicycle Fee - \$1 and Annual Ferry Bicycle Fee - \$57
 - c) Overdue Administration Fee - \$240 for Food Premises and Other Associated Commercial Premises that have not paid their annual registration and inspection fee by the due date and the fees have been outstanding for over three months.

Attachment(s)

1. Delivery Program and Operational Plan - Submissions - Various [⇒](#)
2. Delivery Program and Operational Plan - YourSay Submissions [⇒](#)
3. Delivery Program and Operational Plan - Ballina Chamber of Commerce [⇒](#)
4. Cumbalum Residents Association - Cumbalum Plan of Management [⇒](#)
5. Capital Expenditure Program - Updated Timing [⇒](#)

9.5 Policy (Reviews) - Code of Conduct and Code of Meeting Practice

Section Governance

Objective To undertake the mandatory review, within 12 months of the local government elections, of the Code of Conduct and Code of Meeting Practice

Background

Section 360 of the LGA outlines the requirements for councils to adopt a Code of Meeting Practice, with clause (3) stating as follows:

A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.

Section 440 of the Local Government Act (LGA) outlines the requirements for councils to adopt a Code of Conduct, with clause (7) stating as follows:

A council must, within 12 months after each ordinary election, review its adopted code and make such adjustments as it considers appropriate and as are consistent with this section.

The Office of Local Government (OLG) prescribes Model Codes, with councils able to adopt the codes, with no changes, or with extra provisions, so long as the changes do not lessen, or weaken, the Model Codes.

The OLG has been undertaking a review of both Model Codes, for approximately 12 months. It was anticipated that any changes would be released by the OLG with sufficient time for councils to complete the mandatory 12-month reviews, to save adopting one code and then having to adopt another code, when the new version is released.

The OLG has recently advised as follows:

“that if you have been holding off on reviewing and adopting your codes, you proceed with this pending the new code being prescribed. You could, for example simply adopt your existing code following public consultation, pending the prescription of the new code.”

Councils are required to exhibit the draft Code of Meeting Practice, before adopting the Code, with Section 361 of the LGA stating as follows:

- (1) Before adopting a code of meeting practice, a council must prepare a draft code.*
- (2) The council must give public notice of the draft code after it is prepared.*
- (3) The period of public exhibition must not be less than 28 days.*
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.*

There is no requirement to exhibit the draft Code of Conduct.

With the Council election held on 14 September 2024, to meet the 12-month timeframe, for the Code of Meeting Practice, it is necessary to approve the exhibition at the 26 June 2025 Ordinary meeting.

This then allows 42 days for public exhibition and submissions and the Code can be adopted at the 28 August 2025 Ordinary meeting.

This report also ensures Council complies with the 12-month timeframe for the Code of Conduct.

Key Issues

- Content of Model Codes
- Changes proposed by the Minister and Office of Local Government
- Requirement to complete reviews within 12 months of the Local Government election.

Discussion

Model Code of Meeting Practice

A link to the OLG's Model Code of Meeting Practice is as follows.

[Model Code of Meeting Practice - 2021](#)

The Model Code has mandatory provisions in black font and non-mandatory provisions in red font.

Council's adopted Code of Meeting Practice is located on Council's website as per the following link:

[Ballina Shire Council](#)

Where Council has not included non-mandatory provisions, that are outlined in the Model Code, a reference to "Omitted" is included in red font.

Many items listed as omitted, relate to overly prescriptive wording provided by the OLG.

The Minister for Local Government and the OLG commenced consultation on "reforms to council meeting practices", in 2024, through a discussion paper issued in September 2024 and a new Model Code of Meeting Practice late in 2024.

A link to that information is as follows.

[Reforms to the Model Code of Meeting Practice - Office of Local Government NSW](#)

9.5 Policy (Reviews) - Code of Conduct and Code of Meeting Practice

The consultation draft, as promoted by the Minister for Local Government, states that the reforms are designed to deliver the following outcomes (page six of Consultation Draft):

- *promoting transparency, integrity and public participation*
- *promoting the dignity of the council chamber*
- *depoliticising the role of the general manager*
- *simplifying the Model Meeting Code.*

A link to the Minister's Consultation draft is as follows:

[A new model code of meeting practice – Consultation draft](#)

The new Model Code of Meeting Practice, as per the following link, removes a significant amount of the non-mandatory wording, which Council had largely excluded from our adopted Code, therefore it is relatively consistent with Council's existing Code of Meeting Practice.

[Consultation draft of the new Model Code of Meeting Practice for Local Councils in NSW](#)

Areas where there has been some feedback to the Minister from organisations such as the Northern Rivers Joint Organisation of Councils and LGNSW include:

Clause 7.1 Where they can, councillors and staff must stand when the mayor enters the chamber and when addressing the meeting.

This means that all speakers must stand, which is a practice that already occurs in some councils.

Clauses 3.33 to 3.38 - Pre-meeting briefing sessions – These clauses have been deleted with the Minister indicating a preference for no closed briefing sessions.

Model Code of Conduct

Council's adopted Code of Conduct, as per the following link, is as per the OLG's Model Code, with no changes.

[Code of Conduct](#)

The OLG also provides Procedures for the Administration of the Code of Conduct, available as per the following link.

[Code of Conduct - Procedures for the Administration 2020](#)

Similar to the Code of Meeting Practice, the OLG commenced a process of reforms to the Code of Conduct in 2024, with links to that information as follows.

[Proposed reforms to stamp out bad councillor behaviour and increase transparency in local government - Office of Local Government NSW](#)

[Councillor Conduct Framework - Office of Local Government NSW](#)

[Councillor Conduct and Meeting Practices Discussion Paper](#)

The proposed Code of Conduct changes remain unclear, although they are linked to the potential changes to the Code of Meeting Practice.

One area that generated feedback is page 18 of the Councillor Conduct and Meeting Practices Discussion Paper, where it states that *“it is proposed that councils will no longer be permitted to hold pre-meeting briefing sessions in the absence of the public”*.

Operationally, the preference has always been to allow the public to attend Councillor briefings, as it helps to minimise any negative perceptions of “closed door” decision making.

Council currently does not advertise briefings for the benefit of the public and it will be interesting to see how the OLG responds to this proposal, as several councils have made submissions expressing concerns about how this might impact their operations

The information on the OLG website in respect to the Code of Meeting Practice and Code of Conduct reforms states that it is intended to have the prescribed codes released in early 2025, with that timeframe now well overdue.

Delivery Program Strategy / Operational Plan Activity

The Model Codes are link to Community Strategic Plan (CSP) Outcome EL1 and Delivery Program (DP) Strategy EL1.2 as follows:

- CSP Outcomes - EL1 – decision making is inclusive, transparent and underpinned by sustainability
- DP Strategy - EL1.2 – involve our community in our planning and decision-making processes

Community Engagement Strategy

Section 361 of the LGA requires Council to advertise the draft Code of Meeting Practice, for 28 days, plus an extra 14 days for submissions.

There is no requirement to exhibit the Code of Conduct.

Financial / Risk Considerations

The Model Codes are designed to reduce risk by setting minimum standards of behaviour.

Options

In respect to the Code of Meeting Practice, the options are to exhibit the currently adopted Code, or to make further changes to the non-mandatory components of the Model Code.

With the Model Code likely to change in the not-too-distant future, the preference is to exhibit Council's current Code of Meeting Practice, for public

9.5 Policy (Reviews) - Code of Conduct and Code of Meeting Practice

comment, with a report to be submitted back to the 28 August 2025 Ordinary meeting.

In respect to the Code of Conduct, the options are to adopt the current Code, which is as per the Model Code, or to make changes that add to the Code.

There are no obvious changes to be added to the Code, and with a new Model Code likely to be prescribed soon, the recommendation is to adopt the Model Code of Conduct.

The recommendation wording also includes the reference to the prescribed Code of Conduct, in case changes are made to the Model Code soon, as this might allow Council to negate the need to have a further report submitted to adopt the new Code, subject to the level of changes prescribed.

RECOMMENDATIONS

1. That Council approves the public exhibition of Council's currently adopted Code of Meeting Practice, as required by Section 361 of the Local Government, for public comment, prior to adoption.
2. That Council adopts the Office of Local Government's Model Code of Conduct, as Council's Code of Conduct., inclusive of any changes as prescribed by the Office of Local Government.

Attachment(s)

Nil

9.6 Tender - Arboriculture Services

9.6 Tender - Arboriculture Services

Section Open Spaces

Objective To report the outcomes of the tender evaluation for the Tender - Arboriculture Services

Background

The works to be undertaken under this contract are Arboriculture Services. Tenders were called on 13 March 2025 and at the close of tenders on 7 May 2025, 13 tender submissions were received. This report outlines the results of the tender process.

Key Issues

- Comply with the Local Government (General) Regulation 2021
- Obtain value for money

Discussion

Twenty companies downloaded the documentation with tenders received from:

- All Vegetation Solutions Pty Ltd
- Balanced Tree Care Pty Ltd
- Big Tree Care
- Inspiration Trees
- Integral Tree Care
- Lampe Tree Care
- PowerClear Pty Ltd
- SRA Ag Contracting
- Stump N Grind
- Summit Open Spaces Services (Asplundh)
- Swing Tree Service
- TreeLink
- Tymmos Tippers

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

- Insurance
- Work Health and Safety

Twelve tender submissions met the mandatory assessment and were assessed using the following weighted assessment criteria:

- | | |
|-----------------------------|-----|
| • Pricing structure | 60% |
| • Local and community | 15% |
| • Experience and capability | 25% |

9.6 Tender - Arboriculture Services

Contractors will generally be contracted based on the tendered prices and the contractor's ability to provide the services in a timely manner and not restrict Council's operations.

Whilst this process provides Council a list of preferred services providers, Council is not bound to hire from the list of approved providers and may invite separate quotations or tenders for specific works.

Details of the assessment and pricing options have been provided to Councillors by a confidential memorandum.

Delivery Program Strategy / Operational Plan Activity

These services will be procured as part of delivering Council's capital and operational works program, as outlined in the Delivery Program and Operational Plan.

Community Engagement Strategy

Council has undertaken a public tender process in accordance with the Local Government (General) 2021.

Financial / Risk Considerations

The engagement of contractors under this tender is costed against program budgets. Using a mixture of the tendered rates and quoted works provides appropriate flexibility in respect of maintaining an efficient procurement process and ensuring best value for money.

There is no estimated total contract value for this tender, as the outcome of this evaluation is to have a panel of providers which have provided scheduled rates for a volume of work that cannot be accurately estimated.

During the current three-year contract, Council has spent approximately \$1m.

Council has one dedicated Arborist on staff, with that position managing a wide range of duties in respect to tree management, including areas such as risk, tree health etc.

The contractors, who have specialist machinery, assist Council in managing ongoing maintenance activities and major projects, when required.

Options

The options for Council are set out in Part 7 Section 178 (1) of the Local Government (General) Regulation 2021, which requires that:

(1) After considering the tenders submitted for a proposed contract, the council must either:

(a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or

(b) decline to accept any of the tenders.

9.6 Tender - Arboriculture Services

Based on the tender evaluation, it is recommended that Council accept the tenders for the specified items of plant/resource from Big Tree Care, Inspiration Trees, Integral Tree Care, Lampe Tree Care, Powerclear, Stump N Grind, Swing Tree Service and TreeLink.

RECOMMENDATIONS

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender and awards the contract to Big Tree Care, Inspiration Trees, Integral Tree Care, Lampe Tree Care, Powerclear, Stump N Grind, Swing Tree Service and TreeLink for the Tender - Arboriculture Services for the specified items of plant/resource.
2. That Council authorises the General Manager to sign the contract documents.

Attachment(s)

1. Confidential Memorandum - Tender Report - Arboriculture Services (Under separate cover) (Confidential)

9.7 Tender - Traffic Control Services

9.7 Tender - Traffic Control Services

Section Engineering Works

Objective To report the outcomes of the tender evaluation for the Tender - Traffic Control Services

Background

The works to be undertaken under this contract are Traffic Control Services.

Tenders were called on 13 March 2025 and at the close of tenders on 15 May 2025, 14 tender submissions were received.

This report outlines the results of the tender process.

Key Issues

- Comply with the Local Government (General) Regulation 2021
- Obtain value for money

Discussion

Seventeen companies downloaded the documentation with tenders received from:

- Advanced Traffic Management
- Altus Traffic
- Safeway Traffic Solutions
- Coates Hire Operations Pty Ltd
- DC Civil Enterprises Pty Ltd
- DOB Enterprises Pty Ltd
- East Coast Traffic Control
- Evolution Traffic Management
- Go Traffic Pty Ltd
- Lack Group Traffic Pty Ltd
- Retro Traffic Pty Ltd
- Spinifex Traffic Control Pty Ltd
- Traffic Group Australia Pty Ltd
- Workforce Road Services Pty Ltd

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

- Insurance
- Work Health and Safety

Twelve tender submissions met the mandatory assessment and were assessed using the following weighted assessment criteria:

9.7 Tender - Traffic Control Services

- | | |
|-----------------------------|-----|
| • Pricing structure | 60% |
| • Local and community | 15% |
| • Experience and capability | 25% |

Contractors will generally be contracted based on the tendered prices and the contractor's ability to provide the services in a timely manner and not restrict Council's operations.

Whilst this process provides Council a list of preferred services providers, Council is not bound to hire from the list of approved providers and may invite separate quotations or tenders for specific works.

Details of the assessment and pricing options have been provided to Councillors by a confidential memorandum.

Delivery Program Strategy / Operational Plan Activity

These services will be procured as part of delivering Council's capital and operational works program, as outlined in the Delivery Program and Operational Plan.

Community Engagement Strategy

Council has undertaken a public tender process in accordance with the Local Government (General) 2021.

Financial / Risk Considerations

The engagement of contractors under this tender are costed against program budgets. Using a mixture of the tendered rates and quoted works provides appropriate flexibility in respect of maintaining an efficient procurement process and ensuring best value for money.

There is no estimated total contract value for this tender, as the outcome of this evaluation is to have a panel of providers which have provided scheduled rates for a volume of work that cannot be accurately estimated.

During the current three-year contract, Council has spent approximately \$3m on this service.

Council has, at times, considered providing this service through permanent employees, however the fluctuations in workloads, and the varying demands for this service, along with the cost effectiveness of the contract service, has meant that contracting remains the preferred approach.

Numerous Council employees are trained in traffic control and Council employees do occasionally provide this service, on Council projects, when it is operationally and economically feasible.

For the categories of services Council most commonly used, the average increase in the rates is approximately 5%. Based on increases in labour and other costs, during the past three years, contractor engagement remains the most cost effective delivery method.

Options

The options for Council are set out in Part 7 Section 178 (1) of the Local Government (General) Regulation 2021, which requires that:

(1) After considering the tenders submitted for a proposed contract, the council must either:

- (a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or*
- (b) decline to accept any of the tenders.*

Based on the tender evaluation, it is recommended that Council accept the tender from Advanced Traffic Management, Altus Traffic, Evolution Traffic Management Pty Ltd, Lack Group Traffic Pty Ltd, Spinifex Traffic Control Pty Ltd, Workforce Road Services Pty Ltd.

RECOMMENDATIONS

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender and awards the contract to Advanced Traffic Management, Altus Traffic, Evolution Traffic Management Pty Ltd, Lack Group Traffic Pty Ltd, Spinifex Traffic Control Pty Ltd, Workforce Road Services Pty Ltd for the Tender - Traffic Control Services.
2. That Council authorises the General Manager to sign the contract documents.

Attachment(s)

1. Confidential Memorandum - Tender Report - Traffic Control Services (Under separate cover) (Confidential)

9.8 Wigmore Arcade - Leasing Matters

9.8 Wigmore Arcade - Leasing Matters

Section Commercial Services

Objective To seek Council's approval for new tenants in two shops in the Wigmore Arcade.

Background

Council staff have been in negotiations with two tenants in the Wigmore Arcade. General information in this report relates to these tenancies, with specific rental and lease details contained in a confidential report in this meeting agenda.

Key Issues

- Lease terms and conditions

Discussion

Council staff have been in negotiations with the following two tenants in Wigmore Arcade, in respect to their leases; being

Shops 145 - 147 River Street Ballina – Café Swish & Swish To Go
Shop 11 Wigmore Arcade – Ebihara

Community Engagement Strategy

The matter is commercial in confidence as it involves commercial negotiations.

Financial / Risk Considerations

All leases within the Wigmore Arcade must comply with the *Retail Leases Act 1994* (NSW). Wigmore Arcade has been fully occupied for many years.

Options

This report is provided for general information only. Detailed commercial and confidential information is contained in a confidential report later in this agenda.

RECOMMENDATION

That Council notes the contents of this report in respect to the two Wigmore Arcade lease negotiations.

Attachment(s)

Nil

10. Civil Services Division Reports

Nil Items

11. Notices of Motion

11.1 Notice of Motion - 26 Endeavour Close, Ballina

Councillor

Cr Meehan

I move:

That the General Manager provide a report on 26 Endeavour Close, Ballina, to allow Council to confirm the preferred future use of the site, with the current lease terminating on 31 May 2026.

Councillor Comments

26 Endeavour Close, Ballina is a Council owned Industrial lot of approx. 2790 sq metres. It has street and water frontage. It is Operational Land, which is typically not leased to community groups.

Council has held a long-term position to investigate options for the commercial use or sale of this property.

The lot is currently leased to TS Lismore (Naval Cadets group) at the minimum statutory fee. The lease is for four years; 1 June 2022 – 31 May 2026. The Rainbow Region Dragon Boat Club Inc also have a similar lease over a section of the property (on a sharing basis).

In 2021 the lot was internally valued by Council at \$1.12m for land only.

Recent industrial lot sales by Council, in the Boeing Avenue precinct, realised greater returns than this, eg. Lots 2 & 5, each around 2,100 sq metres, sold for approx. \$1.9m each. Each had street frontage.

Allowing for Boeing Avenue being a key location, 26 Endeavour Close could be valued at around \$1.5m, considering the increase in value of industrial land since 2021.

If Council were to lease 26 Endeavour Close at commercial market value, a return of 5% pa would be sought. That could be around \$75,000 pa.

With the current lease ending in approximately 12 months, it is opportune for Council to examine selling 26 Endeavour Close to realise a large capital return that could then be used on essential Community Infrastructure.

For example, the Aquatic Club and storage facility at Cawarra Park, that is currently unfunded but has multiple user groups waiting for its completion.

The value of this property and the capital return it could provide, has now reached the point where it is not equitable nor fair to other community groups. Ballina Shire has many groups waiting year after year for planned but unfunded infrastructure projects to be provided.

When Council commenced the current lease in 2022, communication with the Royal Australian Navy centred around the concept of the RAN purchasing 26 Endeavour Close. The RAN declined the offer but stated that “a cost benefit analysis will be undertaken throughout the four-year lease term to determine the position of the Department on the potential site acquisition.”

In previous correspondence with the RAN, the military base at East Lismore has also been suggested as an alternate site for TS Lismore.

Staff Comments

The lease to Unit Committee TS Lismore Incorporated (Naval Cadets) commenced on 1 June 2022 and expires on 31 May 2026.

The lease includes a clause allowing Council to terminate the lease early, if Council wishes to place the land on the market for sale, or if the Council wishes to use the land for another purpose.

Council must provide at least three months’ written notice of the earlier end date. The lease provides that the Naval Cadets will not be entitled to any compensation from Council if Council elects to terminate the lease early.

The licence to Rainbow Region Dragon Boat Club Incorporated (Rainbow) commenced on 1 June 2022 and expires on 31 May 2026.

The licence contains a similar clause allowing Council to terminate the licence earlier, by providing at least two months’ written notice of the earlier end date.

The lease to the Naval Cadets and licence to Rainbow include shared usage arrangements for parts of the property.

Most of the building is leased to the Naval Cadets, on an exclusive basis, with Rainbow using one meeting room and small office area, the amenities and areas for boat storage.

The Naval Cadets use various office spaces within the building for certain administrative functions associated with the Naval Cadets, and to organise activities for the Naval Cadets.

The Naval Cadets use most of the existing shed for storage, with a provision in the lease allowing Rainbow to store two dragon boats in the shed.

The Naval Cadets website indicates that Cadets have activities at this property on Saturdays from 8am-4pm.

Under the lease, the Naval Cadets are responsible for payment of all outgoings for the property, including rates, electricity, water etc. The Naval Cadets receive a financial contribution from Rainbow towards the outgoings of \$2,000 per annum.

As the land is operational in an industrial area, the rates payable for 2024/25 were approximately \$9,550 per annum. There are no outstanding payments.

11.1 Notice of Motion - 26 Endeavour Close, Ballina

The last Financial Report listed on the Australian Charities and Not for Profits Commission for Unit Committee TS Lismore Inc listed the income from Cadets for the year ending 31 May 2023 to be \$182.

In 2022, listed income from Cadets as \$429, which indicates low Cadet participation rates at this location.

COUNCILLOR RECOMMENDATION

That the General Manager provide a report on 26 Endeavour Close, Ballina, to allow Council to confirm the preferred future use of the site, with the current lease terminating on 31 May 2026.

Attachment(s)

Nil

11.2 Notice of Motion - Geoff Watt Oval - Fully Enclose Playground

Councillor

Cr Chate

I move:

That Council provide a gate and the remaining fence palings to fully enclose the children's playground at Geoff Watt Oval – No. 2 Cooke Avenue, Alstonville.

Councillor Comments

Several members of the community have recently brought to our attention the fact that there are no fully fenced public playgrounds on the Alstonville plateau. My understanding is that the only enclosed playground on the plateau is at the Alstonville Bowling Club – but this is a private venue and brings with it expectation of purchasing goods/services, etc. at the club.

While Council does have a policy position in place around not fully fencing playgrounds to ensure that parents remain vigilant in their supervision, I believe that we are not ticking all the boxes when it comes to meeting our Duty of Care.

The implication within our policy position is that the full fencing of our playgrounds will encourage parents to turn their attention away from their children's welfare. While fencing may allow a parent to "relax" a little, knowing that their child is safe, the idea that parents will no longer supervise their child is in opposition to the natural parental drive to protect and nurture their child.

Many public playgrounds around the world are fully enclosed. These are not "inferior playgrounds", they simply provide a sense of security to young mums and dads who would just like to ensure that their children are fully contained and safe. The provision of fencing around just one of our Alstonville parks will offer our local parents of young children the right to choose, should they wish, to bring their children to an enclosed Playground.

For reasons of inclusivity and safety, I ask my fellow councillors to support this notice of motion.

Staff Comments

The current playground and shade structure at Geoff Watt Oval was installed in 2016. The estimate for retrofitting additional fencing and surface treatment is approximately \$6,000.

There are also site constraints including existing drainage and trees that may require additional works.

Council recently resolved at the 22 May 2025 Ordinary meeting to undertake a master planning process to include consideration of a skate park within the Geoff Watt Oval reserve area.

11.2 Notice of Motion - Geoff Watt Oval - Fully Enclose Playground

This is scheduled to be undertaken in 2026/27.

This plan would consider the location and design and layout of a new playground.

Council undertakes a risk base assessment on the requirements for fencing at playgrounds, with reference to Fawcett Park (Water and Shared Path Hazard) and Geoff Watt Oval (Vehicle), where some fencing has been installed to reduce risk.

Councils' current playground replacement program has Elizabeth Ann Brown Park identified for a playground upgrade in 2025/26.

This may be a more desirable option for fully fencing than retrofitting an older playground approaching replacement.

COUNCILLOR RECOMMENDATION

That Council provide a gate and the remaining fence palings to fully enclose the children's playground at Geoff Watt Oval – No. 2 Cooke Avenue, Alstonville.

Attachment(s)

Nil

11.3 Notice of Motion - Koala Protection Measures

11.3 Notice of Motion - Koala Protection Measures

Councillor

Cr Dicker

I move:

1. That Council seek advice from the Local Traffic Committee in respect to options to mitigate the risk of the impact of vehicles driving on Bagotville Road on the Koala population, including the introduction of a Koala Zone.
2. That the General Manager prepare a report informing Council on the cost to implement a preferred option, if identified, based on Local Traffic Committee advice.

Staff Comments

This proposal can be actioned within existing resources.

COUNCILLOR RECOMMENDATIONS

1. That Council seek advice from the Local Traffic Committee in respect to options to mitigate the risk of the impact of vehicles driving on Bagotville Road on the Koala population, including the introduction of a Koala Zone.
2. That the General Manager prepare a report informing Council on the cost to implement a preferred option, if identified, based on Local Traffic Committee advice.

Attachment(s)

Nil

11.4 Notice of Motion - Council Community Pools - Single Use Coffee Cups

11.4 Notice of Motion - Council Community Pools - Single Use Coffee Cups

Councillor

Cr Crollick

I move:

That Council immediately introduce an initiative to encourage patrons of Council's pools to bring their own cups when they purchase coffee at the pool.

Councillor Comments

Many swimmers not only swim at Council's pools but also regularly at our beaches and river and are very conscious of the amount of plastic waste that ends up in our waterways, it would be fairly easy and simple to put signs up at both the pools saying that from a date in the near future patrons are encouraged to bring their own cup when they purchase a coffee, for a lot of regular swimmers it would soon become a habit to put your coffee "keep cup" in your swim bag like putting your water bottle in, an article in Community Connect would also be useful in alerting and educating the occasional users of the pools to the initiative.

Staff Comments

This proposal can be implemented within existing resources and with support from the community pool contractors.

COUNCILLOR RECOMMENDATION

That Council immediately introduce an initiative to encourage patrons of Council's pools to bring their own cups when they purchase coffee at the pool.

Attachment(s)

Nil

11.5 Notice of Motion - Single Use Plastics

11.5 Notice of Motion - Single Use Plastics

Councillor

Cr Crollick

I move:

- 1 That Council confirms in principle support for a short term phased approach to eliminating single use packaging and materials across all Council operations.
2. That Council include the following action in the 2025/26 Operational Plan

Prepare and adopt an implementation plan to eliminate single use packaging and materials across all Council operations.

Councillor Comments

This proposal is based on successful precedents set by Byron Shire and Bermagui councils, and it has the potential to create significant financial savings for Council and responds to increasing community concern about plastic pollution in our waterways.

The community in Ballina is already acting – Ballina RSL has launched a coffee cup swap; Ballina Environment Society, in conjunction with Council Waste Services, is initiating a coffee cup swap involving all Ballina cafes with a public education campaign to ensure sustainability.

The environmental and financial cost of single use packaging and products is well documented. Council has a good recycling policy already in place and this builds on that momentum to reduce waste that goes into landfill even further.

It is envisaged that this initiative would phase out single use coffee cups, cutlery, containers, plates and promotional items for all Council business and operations e.g. catering, workshops, events, merchandise including Council funded and sponsored activities and this would include all individuals, groups or organisations that use, hire or lease all Council owned or managed sites.

Staff Comments

The notice of motion aligns with Council's sustainability goals, however careful consideration will need to be given to implementation.

For Byron Shire Council, significant time and resources were required to implement the program.

Staff understand this was made possible by a grant from the NSW EPA in an amount of approximately \$200,000.

There are also risks from stakeholders, such as businesses and event organisers who may not support the policy.

11.5 Notice of Motion - Single Use Plastics

The amount of work involved may require a part time resource to be engaged for the policy development, operational budgets to manage stakeholder engagement and capital investment for items such as mobile wash stations.

The resourcing implications also impact other sections within Council including Open Spaces (event management), Commercial Services (licence and lease management), Health and Environment (hygiene assessments, compliance monitoring), Community Facilities (managing Council's sites).

Also, the upcoming period is very busy for the Resource Recovery Section, with the introduction of the proposed changes to the rural collection service and the new haulage and disposal contract.

These important tasks are to be followed by the new weighbridge project at the Resource Recovery Centre.

Our operational resources are also currently focused on improving the recovery from builders' waste, which is achieving significant positive results in terms of improved landfill diversion rates.

The wording of the notice of motion allows all these factors to be examined as part of the reporting back to Council.

It may ultimately still be preferable to monitor developments, in the sector for this type of policy approach, including grant opportunities, and seek to become more involved when there is more maturity in the systems and broader government and community support. This approach follows relatively recent resolutions of Council, which are reproduced as follows.

Resolution 270717/29

1. *That Council make representations to the LGNSW, the Premier, the relevant Minister and our local members, asking that the NSW State Government introduce legislation to ban single use, plastic shopping bags, including reusable plastic bags and double strength plastic bags, to a level at least consistent with other Governments such as South Australia, Tasmania and ACT and NT.*
2. *That Council actively promote and encourage the minimisation of the use of single use plastic bags through the Community Connect publication.*

Resolution 271022/32

1. *That Council make all possible efforts, within available resources, to reduce the amount of visible plastic waste that gets shredded and turned into micro plastic waste as a result of Council mowing, slashing or similar works.*
2. *That Council make every effort, again within available resources, to remove obvious pieces of plastic waste when undertaking works and services.*
3. *That Council conduct an "anti-litter campaign" through its website/social media pages/community connect etc. drawing attention to the creation of micro-plastics from mowing / slashing and the importance of removing obvious rubbish prior to mowing / slashing.*

11.5 Notice of Motion - Single Use Plastics

4. *That Council also include "Take 3 for the Sea" in the anti-litter campaign, asking the public to remove three pieces of litter from our beaches and waterways wherever they are visiting these places.*
5. *That Council also liaise with NE Waste to seek support for NE Waste undertaking a broader regional campaign drawing attention to the negative impacts that micro-plastics can have on our environment and waterways.*

These resolutions have been actioned and continue to be implemented through Council and NE Waste.

COUNCILLOR RECOMMENDATION

- 1 That Council confirms in principle support for a short term phased approach to eliminating single use packaging and materials across all Council operations.
2. That Council include the following action in the 2025/26 Operational Plan
Prepare and adopt an implementation plan to eliminate single use packaging and materials across all Council operations.

Attachment(s)

Nil

11.6 Notice of Motion - PV Walsh Park, Wardell - Embellishment

Councillor

Cr Crollick

I move:

That Council include an action in the 2025/26 Operational Plan to confirm the estimated cost to upgrade PV Walsh Park, Wardell to allow social and recreational activities to be carried out on the site.

Councillor Comments

Since the 2022 floods the community of Wardell has not had a community sporting field where various field sports could be played or individuals train or simply play social sport, the recreation ground on Wardell Rd is unlikely to be returned to the community in the foreseeable future.

PV Walsh park requires significant work to raise the level of the field and make it suitable and safe for use and this will obviously be a cost to Council however this is a community project that, if the Wardell community knew it was in the Operational Plan, could start fundraising for and local service organisations such as Rotary could be also interested in fundraising and obtaining Rotary grants for – it's the sort of community project that Rotary in particular has got involved with many times in the past – if this were to occur then the monetary contribution from Council would be minimal.

If a budget were drawn up and given to the members of the Wardell community who are driving this and also distributed to various interested community organisations then I am confident that significant funds could be raised towards the rectification of this ground.

Staff Comments

PV Walsh Park is Council owned land at East Wardell that has no improvements due to it being low lying and flood prone.

During 2023 and 2024 Council discussed options for embellishing the site with a summary of the resolutions and actions as follows.

Ordinary meeting August 2023 – Resolution 240823/4

That Council, as a priority, prepare a plan to identify embellishments to Walsh Park, East Wardell, that will encourage increased community use of this Council owned open space, to assist with the rebuilding of the social fabric of the Wardell community, following the 2022 flood events.

Ordinary meeting October 2023 – Resolution 2610/23/23

That Council notes that due to the estimated cost of \$60,000 to embellish Walsh Park for community use, the priority is to complete a low key master plan this financial year, which can then assist in determining funding priorities for the 2024/25 Delivery Program and Operational Plan.

11.6 Notice of Motion - PV Walsh Park, Wardell - Embellishment

This resolution resulted from the Quarterly Capital Works update report which included the following staff feedback on Walsh Park:

Preliminary investigations for Walsh Park have highlighted several site constraints including uneven surfaces, no nearby water connections and limited vehicular and pedestrian access points.

In the absence of an endorsed plan, an option to undertake works to rectify levels and reestablish turf on approximately 1,000m² to enable increased community usage is estimated at \$60,000.

These works do not address access issues and contradicts draft plans that have been developed by Wardell CORE to implement a community garden on the site. This community garden plan also has additional site embellishments that include an improved open space area, access improvements, toilets and storage.

Rather than immediately expending \$60,000, which is currently unfunded and is too large to be sourced from the Open Spaces operating budget, the preference is to develop a low key master plan for Walsh Park this financial year and consider funding options as part of the preparation of the 2024/25 Operational Plan. This master plan can examine options for the site, such as the community garden proposal

Finance and Facilities Committee meeting – April 2024 – Delivery Program and Operational Plan – 2024/25 to 2027/28

Point three of the recommendation from the meeting for this item stated as follows:

That Council note the information and take no further action in relation to PV Walsh Park at Wardell.

This followed the inclusion of the PV Walsh Park Master Plan as an action in the draft Delivery Program.

As a result of this debate no further action was taken in respect to PV Walsh Park.

COUNCILLOR RECOMMENDATION

That Council include an action in the 2025/26 Operational Plan to confirm the estimated cost to upgrade PV Walsh Park, Wardell to allow social and recreational activities to be carried out on the site.

Attachment(s)

Nil

12. Advisory Committee Minutes

12.1 Commercial Services Committee Minutes - 4 June 2025

Attendance

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

Paul Hickey (General Manager), Matthew Wood (Director - Planning and Environmental Health Division), Caroline Klose (Director - Corporate and Community Division), Paul Tsikleas (Manager Commercial Services) and Katie Miller (Coordinator Governance) were in attendance.

There was one Council staff member in the gallery at this time.

1. Acknowledgement of Country

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

2. Apologies

An apology was received from Cr Phil Meehan.

RECOMMENDATION

(Cr Simon Chate/Cr Erin Karsten)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phil Meehan

3. Declarations of Interest

Nil

4. Deputations

Nil

5. Committee Reports

5.1 Ballina Byron Gateway Airport - Ground Transport Master Plan

RECOMMENDATIONS

(Cr Simon Kinny/Cr Therese Crollick)

1. That Council adopts the Ballina Byron Gateway Airport Ground Transport Master Plan, as per Attachments 1 and 2 to this report, for the development of ground transport infrastructure to 2044.
2. That the Airport's Long Term Financial Plan for capital expenditure be updated to reflect the implementation of the Ground Transport Master Plan, as per Table 2 of this report.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Phil Meehan

5.2 Richmond Tweed Regional Library - Sale of Property

RECOMMENDATION

(Cr Simon Chate/Cr Therese Crollick)

That Council notes the contents of this report regarding the potential sale of land by the Richmond Tweed Regional Library.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Phil Meehan

5.3 Land Sales - Status

RECOMMENDATIONS

(Cr Therese Crollick/Cr Damian Loone)

1. That Council notes the contents of this report in respect to the results for the public auction of nine lots at Boeing Avenue, Southern Cross Industrial Estate, Ballina.
2. That Council proceed to fill the batter areas of Lots 10, 11, 12 of DP1314847, Boeing Avenue from the sale proceeds of the industrial land sale at Boeing Avenue, Southern Cross Industrial Estate, Ballina.
3. That Council notes the proposed public auction in August 2025, for Lots 1 to 6 Avalon Avenue, of Stage 3 of Council's Wollongbar Urban Expansion Area.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Phil Meehan

MEETING CLOSURE

5.18pm

RECOMMENDATION

That Council confirms the minutes of the Commercial Services Committee meeting held 04 June 2025 and that the recommendations contained within the minutes be adopted.

Attachment(s)

Nil

13.1 Mayoral Meetings

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

13.1 Mayoral Meetings

Councillor

Sharon Cadwallader

Activities I have attended, or propose to attend, as at the time of writing this report, since the May 2025 Ordinary meeting are as follows:

<u>Date</u>	<u>Meeting</u>
23 May	NRJO Board meeting and Strategic Planning workshop
24 May	Memorial Service for Emmanuel Anglican College school counsellor Mellissa Evans
25 May	Love Lennox Festival Fundraiser
28 May	Ballina Chamber of Commerce Business After Hours event
27 May	2025 Aviation Careers Day Expo
27 May	CMA Executive Board meeting
27 May	Meeting with 24 hr Economy Commissioner Michael Rodrigues, Associate Director Steve Keogh and Jane Laverty, Business NSW
28 May	Australia's Biggest Morning Tea – Mad Hatter's Tea Party
28 May	Meeting with resident and Staff – Ross Lane/Byron Bay Road land
31 May	Ballina Lighthouse and Lismore Surf Life Saving Club Awards
3 June	Bi-monthly NSW Reconstruction & Ballina Shire Council meeting
3 June	Cr Briefing – Airport Ground Transport Master Plan
3 June	Alstonville Wollongbar Chamber of Commerce After Hours event
4 June	Ballina Muay Thai 2025 event meeting
4 June	Cr Briefing – Updated Local Strategic Planning Statement
4 June	Commercial Services Committee meeting
6 June	Country Mayors Association (CMA) Regional Skilled Migration Designated Area Migration Agreement (DAMA) Feasibility Study
10 June	Public Citizenship Ceremony
10 June	Student interview
10 June	Meeting with Mark Puglisi and Phillip Rudd, Rous County Council
11 June	Country Mayors Association (CMA) Regional Transport and Roads Welcome Reception
12 June	Country Mayors Association (CMA) Regional Transport and Roads Meeting
14 June	Love Lennox Festival Opening Ceremony
16 June	Australian Coastal Councils Association (ACCA) Zoom meeting
16 June	Northern Rivers Community Leaders Forum – Mayors and MPs
18 June	Screenworks Regional to Global screen forum
18 June	Rous County Council Meeting
18 June	Public Art Advisory Panel meeting
18 June	Netflix Opening Night Event
19 June	Community Safety Precinct Committee Meeting
19 June	Cr Briefing – Youth Forum feedback session
19 June	Cr Briefing – Review of high-density housing feasibility in the CBD
19 June	Rotary Club of Ballina-on-Richmond Changeover Dinner
23 June	Ordinary Meeting Business paper review
24 June	Ballina Shire Audit Risk and Improvement Committee meeting
24 June	Ordinary meeting

13.1 Mayoral Meetings

RECOMMENDATION

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

Attachment(s)

Nil

14. Confidential Session

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

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

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

14.1 Ballina Byron Gateway Airport - Airline Agreements - Update

This report contains information relating to commercial airline agreements, as outlined in item 9.4 – Delivery Program and Operational Plan - Adoption.

14.2 Wigmore Arcade - Leasing Matters

This report contains information relating to two leases at the Wigmore Arcade, as outlined in item 9.8 – Wigmore Arcade – Leasing Matters.

14.3 Alstonville Aquatic Centre - Contract Management

This report contains information relating to the contract management fee for the Alstonville aquatic Centre, as outlined in item 9.4 – Delivery Program and Operational Plan - Adoption.

RECOMMENDATION

That Council moves into committee of the whole with the meeting closed to the public, to consider the following items in accordance with Section 10A (2) of the Local Government Act 1993.

14.1 Ballina Byron Gateway Airport - Airline Agreements - Update

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) (d) 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
- d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or

- (iii) reveal a trade secret

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 the report outlines commercial airline agreements and the discussion of those agreements in open Council would prejudice the ongoing commercial negotiations.

14.2 **Wigmore Arcade - Leasing Matters**

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 due to the ongoing commercial negotiations and the release of any information could prejudice those negotiations, as well as disclosing private and commercial information.

14.3 **Alstonville Aquatic Centre - Contract Management**

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 this involves a commercial contract request and the discussion of this report in open Council would prejudice the ongoing commercial negotiations.
