

Agenda

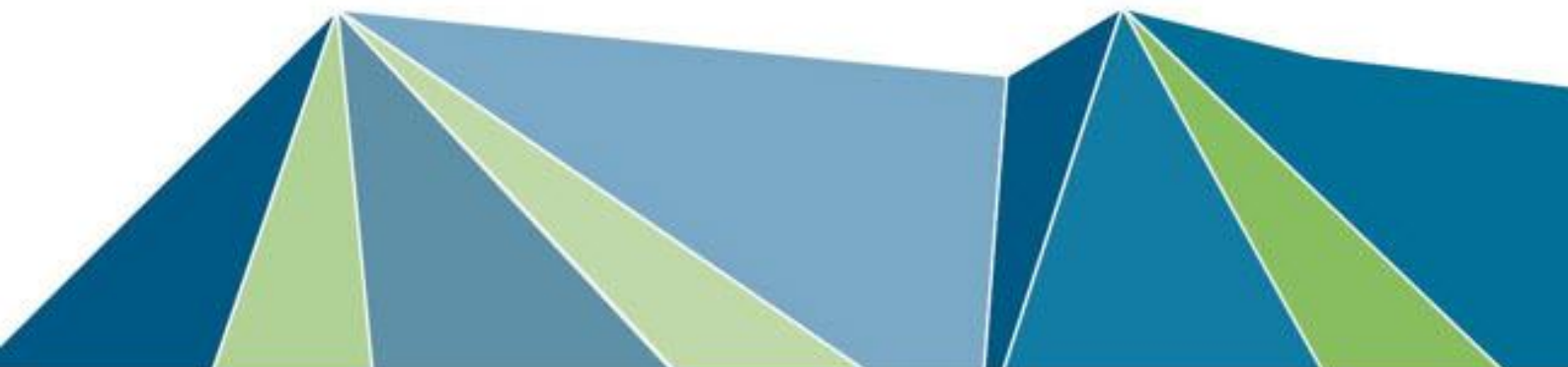
Ordinary Meeting 24 July 2025

An Ordinary Meeting of Ballina Shire Council will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **24 July 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 26 June 2025 were distributed with the business paper.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 26 June 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 **Newrybar Village Centre - Streetscape Master Plan - Adoption**

Section	Strategic Planning
Objective	To present the findings of the public exhibition of the Draft Newrybar Streetscape Master Plan and seek direction on adoption of the plan.

Background

“Complete a streetscape master plan for Newrybar Village” was an action in the 2024/25 Delivery Program and Operational Plan.

In late 2024, Council and a consultant team engaged extensively with stakeholders and the community to prepare the Draft Newrybar Streetscape Master Plan.

A report to the 27 March 2025 Ordinary meeting outlining the community engagement process and insights can be found at the following link:

- [Agenda of Ordinary Meeting of Ballina Shire Council - Thursday, 27 March 2025](#)

Council subsequently resolved to endorse the Draft Master Plan for public exhibition to seek further community feedback. The exhibited plan can be found at the following link:

- [Newrybar Streetscape Master Plan | Your Say Ballina](#)

The Draft Newrybar Streetscape Master Plan was placed on public exhibition from 10 April to 21 May 2025.

Council informed the community and stakeholders of the public exhibition and engaged widely through web content, social media, posters in the street, emails to stakeholders and media interviews.

A facilitated workshop was held at the Newrybar Community Hall on Monday 19 May 2025 to inform the community of the key features of the master plan, respond to enquiries and seek feedback.

There was general community support for the key features of the plan, with some concern raised around relocation of the fire shed and emergency response times.

Key messages from this consultation have informed the revised Draft Newrybar Streetscape Master Plan which is include as Attachment 1 to this report.

8.1 Newrybar Village Centre - Streetscape Master Plan - Adoption

This report outlines the community engagement outcomes and recommends that Council adopt the revised Newrybar Streetscape Master Plan for implementation.

Key Issues

- Public exhibition community and stakeholder feedback
- Revised Draft Newrybar Streetscape Master Plan

Discussion

Newrybar is situated at the northern extent of Ballina Shire at the interface of the rural hinterland and coastal strip. It is a popular tourist destination and local centre for surrounding rural landholders.

Established in 1881, Newrybar is one of Ballina Shire's earliest European settlements.

Newrybar and its surrounds have scenic amenity values and Newrybar is located within a drinking water catchment area.

Since establishment of Newrybar, various small-scale commercial land uses have emerged or evolved from historic uses commenced prior to the introduction of the Environmental Planning and Assessment Act 1979, with subsequent expansion and changes of use based on these historic activities/approvals.

The Draft Master Plan sets out the community vision and place values for the broader Newrybar village and provides conceptual design strategies focused on Council owned land in the public domain including road reserves (Old Pacific Highway, Hinterland Way and Brooklet Road) and Community Land containing the Newrybar Community Hall (Figure 1).

Figure 1: Newrybar Streetscape master Plan Study Area (blue)



Process and Engagement

In late 2024 Council engaged a consultant team consisting of landscape architects and placemaking community engagement specialists to undertake a co-design process with stakeholders and the community and prepare a Draft Streetscape Master Plan for Newrybar.

The consultants and Council staff collaborated extensively with the community through a variety of forums to better understand the way the village works, community needs and aspirations. This provided a range of opportunities for community members to be made aware and get involved.

The community engagement process and outcomes are provided in Appendix A of the Draft Newrybar Streetscape Master Plan (Attachment 2).

This initial engagement identified the following key themes and community directions for the future of Newrybar, which focus on maintaining the village's character, functionality, and community life, including:

1. *Preserving Newrybar's unique village charm*
The community values the small-scale, historic feel of Newrybar and wants future enhancements to respect its identity.
2. *Enhancing pedestrian safety and movement*
There is strong support for traffic calming, improved crossings, widened footpaths, and safer pedestrian connections.
3. *Formalising car parking and improving vehicle circulation*
The community supports structured car parking solutions and a one-way traffic system to ease congestion and improve accessibility.
4. *Creating more public open space and amenities*
A desire for more shade, seating, public gathering spaces, and green areas as consistently expressed.
5. *Strengthening community connection and activation*
Locals want more opportunities for community-led events, local markets, and activations.
6. *Celebrating Newrybar's artisanal and agricultural identity*
The paddock-to-plate philosophy, boutique retail, and local craftsmanship should be highlighted through design, materials, and public art.

These community directions informed the Draft Newrybar Streetscape Master Plan that was endorsed at the March 2025 Ordinary meeting for public exhibition to seek further community feedback.

The Draft Newrybar Streetscape Master Plan was placed on public exhibition from 10 April to 21 May 2025.

During the public exhibition phase, information about the project was widely published via the following forums:

- Emails to stakeholders, workshop participants and those people who had registered an interest in the project

- Web site Your Say project page update
- Online survey / feedback form
- Social media promotion
- Media release and subsequent interviews (radio and TV media)
- Posters at key places in the village.

Community Workshop

An additional community workshop was conducted at the Newrybar Community Hall on 19 May 2025. This workshop was attended by 28 community members. Some of these had been involved in one or more of the previous workshops and some were new participants.

A summary of the workshop outcomes is included as Attachment 3.

The purpose of this engagement was to reiterate the co-led design process undertaken to date, inform the community of the key features of the draft master plan and invite feedback.

Generally, there was strong alignment in most key messaging from the community and general support for the main features of the exhibited master plan.

The following key items were suggested for further consideration or design verification:

- Rural Fire Service (RFS) volunteers expressed a strong desire to remain in their current location and a need for any road reconfigurations to support their operations and efficient response times. Other community members valued the opportunity for open space afforded by relocating the fire shed to another location in the village.
- There was support for a shared zone (pedestrian priority) but it needs to provide adequate large vehicle access to the fire shed, produce store and fuel bowzers (if retained).
- Consider angled parking on Hinterland Way to provide increased capacity.
- Consider electric vehicle charging points.
- Ensure street lighting is friendly to wildlife.

Online and Written Feedback

Four written submissions were received and 14 submissions were provided via the online feedback form.

An online meeting was undertaken with some key stakeholders upon request.

This is a relatively small number of submissions for a streetscape project such as this.

Key messages:

- Many people supported the draft master plan and sought to have it implemented as soon as possible

- The 'heritage' style architecture is a key and valued feature of the village that should be protected
- A submission raised concerns regarding the impact of the plan on the operational aspects of the produce store
- Newrybar RFS reinforced their position expressed in previous correspondence.

There are some operational aspects of the current RFS location in the village that could be improved through dedicated parking and improved access to hydrants.

The Newrybar RFS members agreed that there was not a strong desire to relocate to another site

- A submission raised concerns over funding for work in Newrybar when there are other higher priorities for the Shire
- A submission identified opportunities for full pedestrianisation of the streetscape at the heart of the village, provision of infrastructure for horses, creation of a laneway behind the western property frontages to enable businesses to overlook farmland (private land) and use of colourful flowering plants.

The most liked plan features included:

- The entry treatments (gateways)
- Improved pedestrian connections and safety
- Landscaping and improved seating and amenity
- Slower traffic
- Parking on Hinterland Way
- One-way traffic

The following key items were suggested for further consideration or design verification:

- Provide more pathways and carparking.
- Check the functionality and safety of the Brooklet Road / Old Pacific Highway intersection.
- Ensure an option retains the RFS in its current location in the village.
- Reconsider lighting to ensure protection of wildlife.
- Verify functionality of the shared one-way configuration with larger vehicles and ability to turn into fuel station and produce store.
- Maintain existing driveway access points.
- Consider accommodating horses in the street as a celebration of history and artisan culture.

The public exhibition community engagement submissions are provided in full in Attachment 3.

8.1 Newrybar Village Centre - Streetscape Master Plan - Adoption

Revised Draft Newrybar Streetscape Master Plan

The Draft Streetscape Master Plan has been developed to best address and balance the various needs and aspirations identified in the community and stakeholder engagement.

The Draft Master Plan is a community-led, place-based vision that sets a thoughtful and sustainable plan for the future of Newrybar village streetscape.

The community vision remains unchanged and is as follows:

Newrybar will be a welcoming and vibrant village where character, community, and creativity flourish. An intimate, walkable destination that honours its artisanal spirit, local produce, and deep connection to the natural landscape.

The place values for the future of Newrybar remain unchanged in the revised Draft Master Plan.

The Place Values become the sounding board for all future design decisions.

They collectively represent what is loved about Newrybar now, along with community and stakeholder aspirations for the future, as follows:

1. *Authentic village charm*
2. *Memorable artisanal experiences*
3. *Home grown produce and flavours*
4. *Honouring the Big Scrub and Connection to Country*
5. *Fostering a Connected Community*

Figure 2 is an extract from the revised draft master plan which provides an overview of the key moves of the plan.

Figure 2: Revised Draft Master Plan (Extract)



Response to Community Feedback

The revised Draft Newrybar Streetscape Master Plan (Attachment 1) has been refined to address community feedback received during the public exhibition as follows:

- To address divided community aspirations relating to the RFS building and opportunities for additional public green space, the master plan includes 2 scenarios:
 - Option A: Relocation of the RFS building to a nearby suitable site and creation of a public green and shared space
 - Option B: Retention of the RFS building and fuel bowzers as part of the streetscape.

Further examination of relocation of the RFS shed and use of the Newrybar Hall site can be undertaken as an action of the Master Plan on the basis that the plan makes provision for both retention and relocation of the RFS facility.

The RFS would not be relocated without further engagement with the Newrybar Fire Brigade, a suitable site and agreement from RFS Far North Coast Team (Infrastructure). Planning approvals may also be required.

- Road and intersection geometry was refined to account for retention of all property access points and to ensure large vehicles can maneuver and access the fire shed (in Option B), fuel bowzers (in Option B) and produce store. Road geometry is subject to further traffic studies and detailed design.
- Pedestrians prioritised and carparking capacity clarified with the master plan providing a modest increase in total parking capacity along with improved safety and provision of a dedicated bus bay and drop off/loading zone.
- No specific infrastructure was added to accommodate horses as this was not possible without removal of carparking spaces. A member of the public is entitled to pass along a public road (whether on foot, in a vehicle or otherwise). This includes by horse.
- The lighting palette was refined to note that street lighting selection is to be sensitive to wildlife.
- The importance of a safe pedestrian pathway and crossing point connecting the village to the public school was reinforced.
- Opportunities to explore electric vehicle charging locations were included.
- Plan amendments to address dimensional and technical design aspects were undertaken.

The northern arrival, southern exit and village core were identified as the priority precincts for implementation over the longer term.

Popular short term implementation priorities include speed limit reductions on Old Pacific Highway and Hinterland Way, provision of a bus stop and implementation of the gateway treatments.

The change to a one-way traffic flow was also a high priority.

Further investigations and detailed design are required to progress the master plan to the next stage.

Delivery Program Strategy / Operational Plan Activity

Preparation of a streetscape master plan for Newrybar is an action in the 2024/25 Operational Plan.

Operational Plan Activity HE3.1k Complete streetscape master plan for Newrybar Village.

Community Engagement Strategy

The community has been extensively involved with the development of the draft master plan at two key stages in the project:

- Initial consultation to better understand the way the village works, community needs and aspirations, including co-design via workshops (Attachment 2).
- Public exhibition consultation to communicate the key features of the draft master plan and seek feedback on strongly supported items and items for further consideration.

This included an additional community workshop during the public exhibition stage (Attachment 3).

This engagement methodology is comprehensive and consistent with an ‘involve’ and ‘collaborate’ approach as outlined within Council’s Community Engagement Strategy.

Financial / Risk Considerations

There have been numerous representations from the community in the past seeking upgrades in Newrybar. A Streetscape Master Plan provides a coordinated approach to such upgrades.

Whilst there is no funding currently allocated for implementation of any proposed capital works, an adopted plan can be a valuable tool to support future investment or seek grant funding.

Planning pathway investigations have not yet been undertaken.

As most of the work is located within Council owned road reserves a planning process under Division 5.1 of the EP&A Act may be suitable (Review of Environmental Factors – REF). Planning pathways will be determined as projects under the master plan progress.

Options

Council has the following options to proceed:

Option 1 – Adopt the revised Draft Newrybar Streetscape Master Plan

Under this option, Council adopts the revised Draft Newrybar Streetscape Master Plan, as per Attachment 1 to this report.

This incorporates amendments following the public exhibition and additional community engagement workshop.

This is the recommended option.

Option 2 – Amend the revised Draft Newrybar Streetscape Master Plan and adopt the amended master plan

Under this option, Council may make further changes to the master plan.

Preferred changes can be incorporated into the Council resolution relating to the adoption of the master plan.

This option is not recommended on the basis of the extensive community engagement process undertaken and the refinement of the master plan post exhibition in response to feedback.

RECOMMENDATION

That Council adopts the Newrybar Streetscape Master Plan, as per Attachment 1 to this report.

Attachment(s)

1. Newrybar Streetscape Master Plan Revised Draft July 2025 [⇒](#)
2. Newrybar Streetscape Master Plan - Appendix A Initial Community Engagement [⇒](#)
3. Newrybar Streetscape Master Plan - Community Engagement Public Exhibition Feedback May 2025 [⇒](#)

8.2 Place and Public Realm Framework - Draft

Section	Strategic Planning
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Objective	To present the draft Place and Public Realm Framework to Council and seek endorsement for the document to be placed on public exhibition.
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Background

The draft Place and Public Realm Framework has been prepared in accordance with Activity CC1.1g *Prepare a Public Realm Strategy* in Council's Delivery Program and Operational Plan 2024-2028.

Activity CC1.1g is part of the Community Strategic Plan's *Connected Community* direction and reflects Council's ongoing commitment to supporting community safety and wellbeing.

The draft Place and Public Realm Framework establishes principles, objectives and commitments for design, construction and management in the public realm. The framework relates to public land managed by Council, noting that at times this interfaces with privately owned spaces.

The framework is intended to provide direction for the continuing development of high quality, comfortable and environmentally sustainable streetscapes and public open spaces.

An outline of the draft framework was presented to Councillors at a briefing on 6 May 2025.

This report provides a summary of the key components of the draft Place and Public Realm Framework and recommends that Council endorse the draft framework for the purposes of public exhibition to obtain community feedback.

The draft framework is included as Attachment 1 to this report.

Key Issues

- Pedestrian and cycling priority
- Street tree planting
- Retrofitting existing streets

Discussion

What is the Public Realm?

The Public Realm is defined as follows by the NSW Government Architect:

The public realm is the collective, communal part of cities and towns, with shared access for all. It is the space of movement, recreation, gathering events, contemplation and relaxation. The public realm includes streets, pathways, rights of way, parks, accessible open spaces, plazas and waterways that are

physically and visually accessible regardless of ownership. (Source: Better Placed, May 2017, NSW Government Architect)

Why is a Place and Public Realm Framework needed?

Council has been improving the Shire's public realm for some years. More recent examples include the Lennox Village Vision, the Wardell Community Greenspace (part of the Wardell Village Centre Revitalisation Master Plan), Winton Lane in the Ballina CBD, the Coastal Recreation Path and the Cultural Ways wayfinding and storytelling project.

Much has been learned from the design and delivery of these projects and efficiencies have been identified for the delivery of future projects. Changing community expectations of public spaces, increased population and visitation and State Government policies highlight the need to improve guidance for outcomes in public spaces.

Establishing design principles, objectives and commitments for land within the public realm clarifies Council's intent and will streamline the delivery of more people-centered public places across the Shire.

The draft Place and Public Realm Framework will also provide leadership for the private sector and set clear expectations for the public realm as part of new development.

Policy Context

The Place and Public Realm Framework will not be a standalone document but will work alongside Council's other strategic and statutory documents that guide planning, design and works within the Ballina Shire. Page 7 of the Framework (Attachment 1) depicts the relationship among these documents.

Draft Place and Public Realm Framework

The draft Framework attached to this report comprises the following:

Vision

The draft Place and Public Realm Framework vision is:

To manage the amenity and function of the public realm to achieve connected, healthy and prosperous communities and environments.

Over time, this will mean:

- Better connected pedestrian and cyclist routes through and between our towns and villages and easy ways to find and follow them.
- Greener streets that are cooler and more comfortable.
- A strong sense of place for each locality, supported by design and local storytelling.
- Community vibrancy to activate and celebrate our places.

Geographic character

The draft Place and Public Realm Framework identifies key geographic characteristics of the Ballina Shire as shown in Figure 1. The plateau, the river and floodplain, and the coast are important features that have and will continue

to shape the character of Ballina Shire and inform the unique local character and identity of each of our towns and villages.

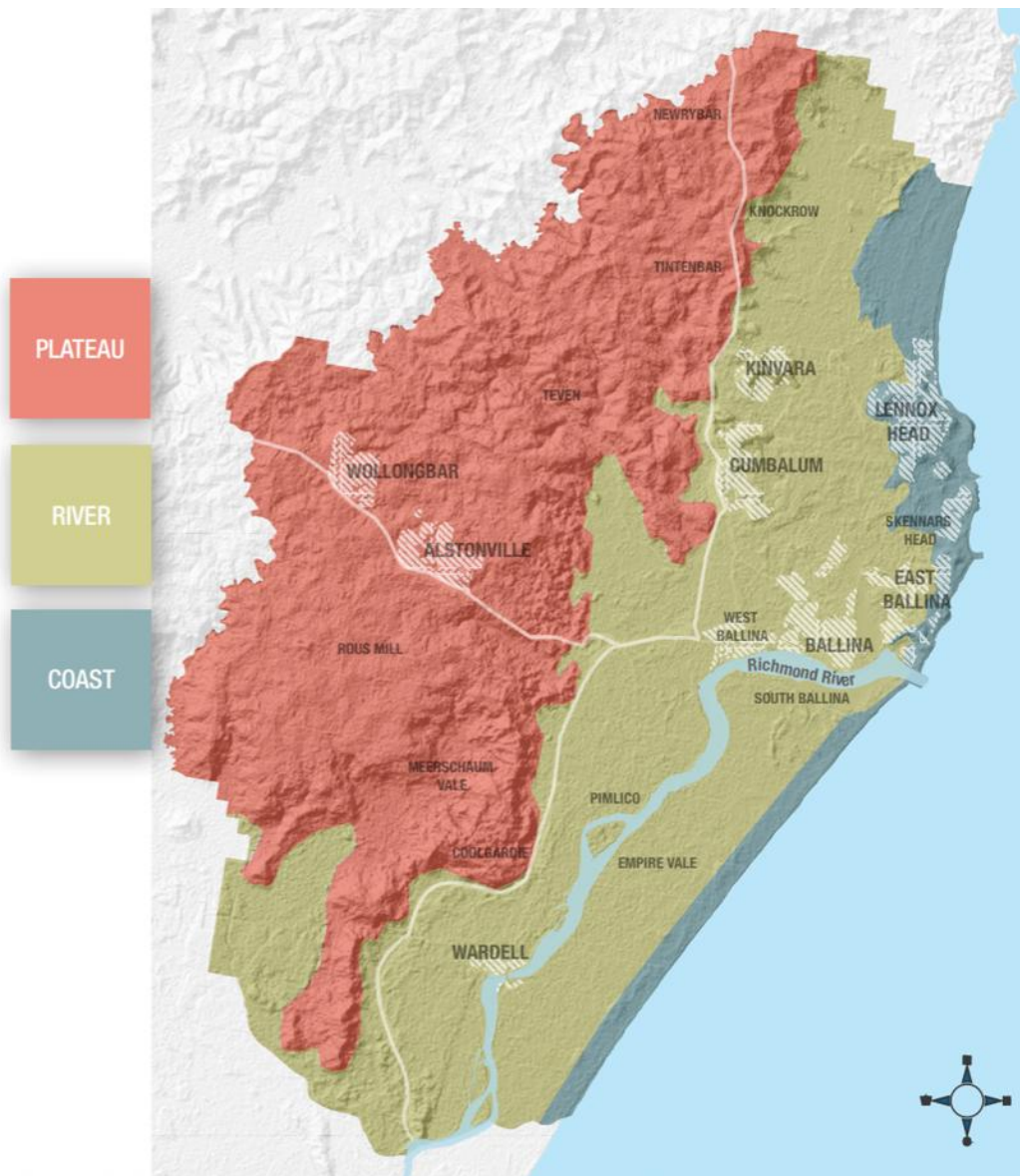


Figure 1: Geographic Characteristics – Place and Public Realm Framework

Principles

Eight principles are proposed that will apply to all design, construction and management processes undertaken within the public realm by Council and where private development intersects with public land. The proposed principles are as follows:

The public realm:

- Is comfortable safe and attractive.
- Articulates a cohesive identity and sense of place.
- Is legible, inclusive and family friendly.
- Encourages community participation.
- Is appropriate, durable and adaptable.
- Is connected and integrated.
- Achieves environmental sustainability and resilience.
- Supports community vibrancy and wellbeing.

These draft principles are based on the values and directions in the Community Strategic Plan, community consultation undertaken for Council's place based strategic plans and Community Satisfaction Survey Results.

Public Realm Types and Objectives

Most of the land Council owns or manages within the public realm comprises:

- Roads and streets
- Open Spaces
- Linear corridors

The draft framework provides objectives for each of these different public realm types to support the delivery of the design principles. The following objectives are proposed for each different public realm type:

Roads and Streets

- Improve pedestrian and cyclist amenity, comfort and safety within and between towns and villages.
- Prioritise pedestrian and cycling connections on selected routes, accessing destinations.
- Design streets in key civic or open space precincts so they can be easily adapted and closed for public events and activities.
- Reinforce local character and the endemic environment in the design and management of streets.
- Retrofit and design to constrain physical speeds on selected streets.
- Protect natural areas and waterbodies from the impacts of roads and streets.
- Utilise road reserves to support connectivity of flora and fauna in the Shire.
- Incorporate deep planting zones into streets and corridors.

Open Spaces

- Fulfill multiple functions within the open space network including active and passive recreation, social interaction, water management and supporting biodiversity.
- Function as refuges of cool natural shade during summer and provide places to access warm sun in winter through planting and seating arrangements.
- Feature adaptable, flexible infrastructure that can accommodate a variety of community gatherings and events, where appropriate.
- Improve legibility and access to open spaces for all visitors regardless of how people arrive.
- Feature local stories, cultural elements, geography and plants, contributing to a cohesive local identity and sense of place.
- Well serviced with facilities to support people to stay and use public space.

Linear Corridors / Greenways

- Provide off road movement corridors connecting with open spaces, the broader road and street network and destinations.

- Continuous and highly valued, with services and embellishments complementary to active travel and recreation.
- Support biodiversity, habitat and catchment management within linear corridors.
- Linear corridors are designed as important destinations for recreation and active travel.
- Reinforce local character and sense of place.
- Space is available to the wider community for public purposes, providing green areas that break up the urban built environment.

Implementing the Vision

Phase 1 – Place and Public Realm Framework

Adoption of the Place and Public Realm Framework will confirm Council's vision of what it wants to achieve in the public realm. The framework will support the coordination and processes that will, over time, deliver the vision for comfortable, vibrant and sustainable public spaces in Ballina Shire.

The next phases will reinforce delivery and outcomes as summarised below and shown in Figure 2.

Phase 2 – The Place and Public Realm Design Manual.

- Confirm the urban structure of towns and villages into urban hierarchies for roads and streets, open spaces and linear corridors. This will help determine exactly where priority and resources will be focused and will align with Transport for NSW street typologies to assist with funding applications.
- Establish local character statements to inform design elements for places and distinct local palettes, which will streamline design decisions and procurement and improve the unique identity of different places.

Phase 3 – Review and Update other Plans

Update Council's strategic documents relating to pedestrian and cycling access and design in open spaces such as the Pedestrian and Mobility Plan (PAMP), the Bike Plan and the Playground Upgrade Management Plan (PUMP) based on the priorities determined in *Phase 1* The Place and Public Realm Framework and *Phase 2* The Place and Public Realm Design Manual.

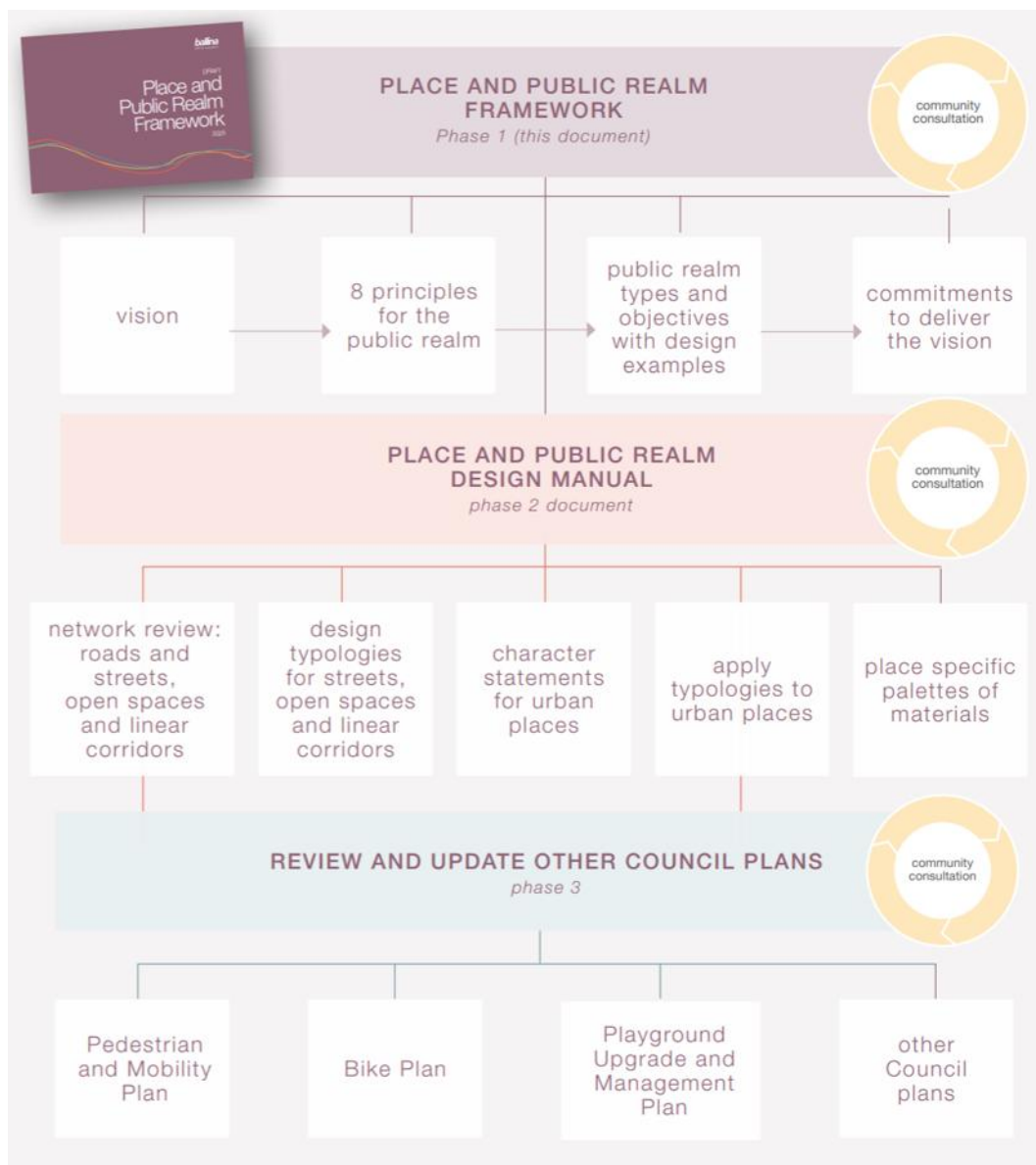


Figure 2: Phases in implementing the vision

Commitments to achieve the vision

The following commitments are proposed to provide a clear way to achieve the vision and objectives:

- Increase number of raised threshold pedestrian crossings or shared zones on key streets.
- No loss of Council owned land within a linear corridor.
- Increase dedicated cycle lanes within and between towns and villages.
- Increase proportion of 3-metre-wide paths.
- Increase bike and e-bike parking in towns and villages.
- No net loss of trees in the public realm due to capital works.
- Increase endemic plants and canopy cover in key streets.
- Increase in areas dedicated to planting and pedestrian priority.
- Increase in place specific design that reflects and reinforces local character and identity.

8.2 Place and Public Realm Framework - Draft

- Increase in Council approved public events.
- Increase the dwell time of people in the public realm.

The next steps to take to meet these commitments are set out in the draft framework in Attachment 1. Note that many of the 'next steps' are part of Phase 2 outlined above.

Delivery Program Strategy / Operational Plan Activity

The draft framework has been prepared in response to Activity *CC1.1g Prepare a Public Realm Strategy* in Council's Delivery Program and Operational Plan 2024-2028.

Community Engagement Strategy

Planned community engagement activities will provide broad opportunity for interested members of the community to review the draft framework. This will be primarily through online engagement utilising some innovative tools available through the Engagement HQ online engagement platform.

It is proposed to place the draft Place and Public Realm Framework on public exhibition commencing mid-August for a period of four weeks.

Financial / Risk Considerations

Public exhibition of the draft Place and Public Realm Framework can be progressed using existing available resources.

The adoption of the Place and Public Realm Framework will likely have implications for future works budgets where strategic improvements of the public realm are deemed necessary. These will be considered on a case-by-case basis with the aim being to embed the framework's principles into Council's projects over time.

The drafted framework does not give rise to any direct significant legal, resource or financial implications for Council.

Options

Options available to the Council to progress this matter include the following:

Option 1 - Endorse the public exhibition of the draft Place and Public Realm Framework.

Public exhibition of the documents would occur in accordance with Council's Community Engagement Strategy and subject to any additional amendments nominated by the Council.

Preparation of the draft Place and Public Realm Framework has been based on previous community consultation for the Community Strategic Plan, place based strategic plans and the Community Satisfaction Survey Results.

8.2 Place and Public Realm Framework - Draft

Public exhibition of the draft will allow Council to test the ideas within the draft Place and Public Realm Framework with the community before adoption.

This is the recommended option.

Option 2 - Council could determine not to further progress work in respect to the draft Place and Public Realm Framework.

Council could decide not to progress with the exhibition and implementation of a place and public realm framework.

This option is not recommended as the funding environment for public projects increasingly requires Council's to have completed strategic planning for the public realm. A documented framework is also considered to be advantageous for provided consistent guidance for project planning and delivery outcomes across all of Council's works in the public realm.

RECOMMENDATION

That Council endorses the draft Place and Public Realm Framework, as per Attachment 1, for the purposes of public exhibition.

Attachment(s)

1. Place and Public Realm Framework - Draft [⇒](#)

8.3 Development Applications - Works in Progress - June 2025

8.3 Development Applications - Works in Progress - June 2025

This report provides an overview of current development application activity. The data provided is to the end of the 2024/25 financial year.

A list of development applications, not yet determined, that have been under assessment for a period of greater than 90 days is contained in Attachment 1.

The 90-day threshold has been chosen as it provides a good indication of the volume of DAs that are in progress and overall workload.

The list in Attachment 1 has been progressively getting shorter, reflecting a downward trend in assessment times and the volume of DAs under assessment.

Further information relating to the applications listed is available via Council's DAs online portal (accessible via www.ballina.nsw.gov.au).

Outstanding DAs by Month

The following tables for 2023, 2024 and 2025 provide an indication of the number of DAs (including modifications) under assessment with reference to various timeframes.

During 2022 the number of DAs under assessment but not determined each month ranged between 317 and 385, with 385 being the peak.

The numbers are now well below that peak period.

Assessment Timeframe	2023											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Less than 90 days	61	91	73	101	72	95	93	93	66	77	38	56
90 to 180 days	114	97	83	73	93	70	69	49	69	56	74	70
180 to 365 days	86	79	103	91	84	63	70	61	63	53	72	64
More than 365 days	52	47	40	37	52	47	38	34	46	41	51	47
TOTAL	313	314	299	302	301	275	270	237	244	227	235	237

Assessment Timeframe	2024											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Less than 90 days	58	63	66	45	75	81	55	61	85	62	80	76
90 to 180 days	58	52	42	54	43	40	45	41	32	39	30	26
180 to 365 days	74	58	57	60	53	51	48	40	36	38	33	27
More than 365 days	49	45	41	42	37	36	33	31	27	30	26	21
TOTAL	239	218	206	201	208	208	181	173	180	169	169	150

8.3 Development Applications - Works in Progress - June 2025

Assessment Timeframe	2025					
	Jan	Feb	Mar	Apr	May	Jun
Less than 90 days	34	47	65	49	49	80
90 to 180 days	52	43	33	27	18	16
180 to 365 days	30	24	20	20	18	9
More than 365 days	22	16	15	11	10	4
TOTAL	138	130	133	107	95	109

The number of outstanding (lodged but not determined) DAs this financial year has seen a sustained reduction compared to last year and previous years' numbers. The number has now returned to a more typical level.

The previous tables do not show applications that have been lodged and determined within the quarterly reporting period (i.e. the tables only show applications not yet determined).

Northern Regional Planning Panel DAs under Assessment

The following table provides a summary of DAs classified as regionally significant development that are currently under assessment and will require reporting to the Northern Regional Planning Panel for determination.

DA No.	Applicant	Address	Proposal	Status
2024/252	Ardill Payne & Partners	12 Commercial Road ALSTONVILLE	Construction of a two-storey medical centre	This matter is set for a NRPP Determination Meeting later in August, with the date to be confirmed by the Panel. The final assessment and determination report is being prepared.
DA 2025/142	Technical and Further Education Commission	61 Sneath Road WOLLONGBAR	Additions to Educational Establishment (TAFE) comprising the construction of a 'multi trades hub' building and associated demolition, earthworks, vegetation removal, infrastructure works and landscaping	Application lodged 14 May 2025. Public notification of the DA was completed 5 June 2025. Council is awaiting further information from the applicant to address several technical issues arising

8.3 Development Applications - Works in Progress - June 2025

				from the proposal.
DA 2025/160	Ardill Payne & Partners	10 Stewart Street LENNOX HEAD	Alterations and Additions to the Recreation facility (outdoor)/Registered Club and reconfiguration of associated car parking and access arrangements, with works being undertaken in 2 stages.	Application lodged 16 June 2025. DA is on public notification until 25 July 2025

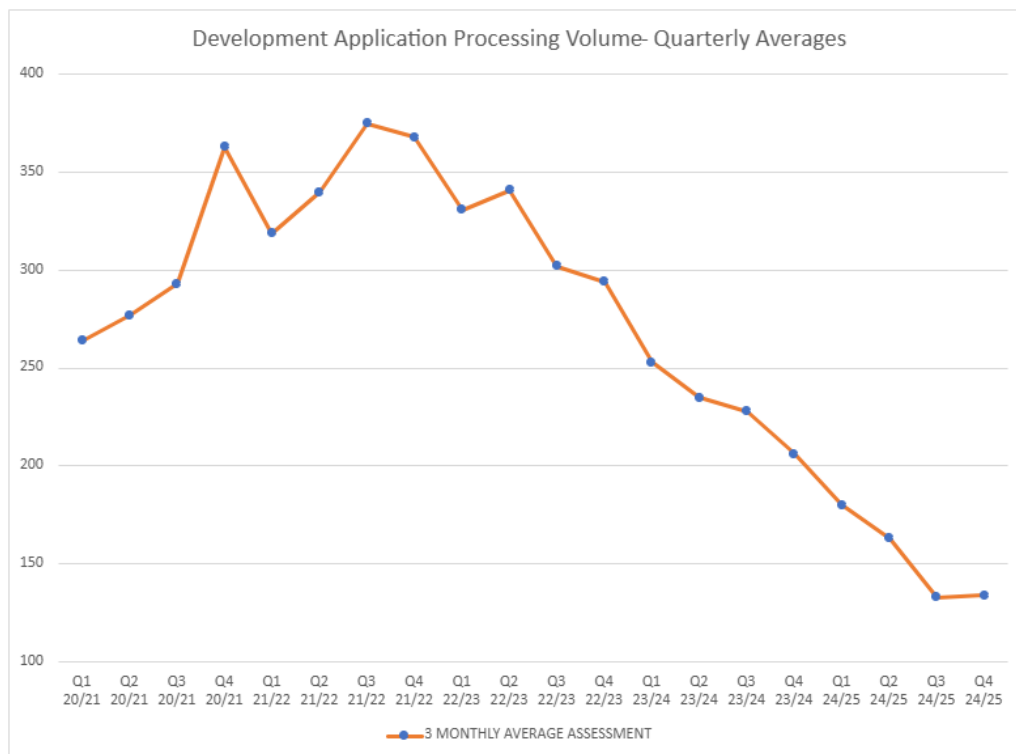
DA Determination Trend (Financial Year Comparison)

The following chart provides an overview of the volume of development applications lodged, but not determined each quarter, for the period July 2020 to the end of June 2025.

The quarterly figure represents the three-monthly average of DAs lodged but not determined for that quarter.

Since the peak of applications lodged but not determined in March 2022 there has been a steady reduction in the volume of DAs under assessment at any one time, and a particularly noticeable and sustained decline over the last 12 months.

Since the peak of DAs lodged but not determined of 385 in March 2022, there has been a 71% reduction in DAs under assessment as at June 2025. There has been a 38% reduction in DAs lodged but not determined since 1 July 2024.



8.3 Development Applications - Works in Progress - June 2025

A key focus area for 2024/25 has been the determination of applications that have been under assessment for more than 12 and 18 months (along with applications approaching this period).

Number of DAs Under Assessment for > 12 Months and >18 Months

Month 2024	>12 Months	>18 Months
July	35	16
August	27	16
September	24	12
October	24	10
November	20	9
December	16	7
January	9	9
February	5	8
March	8	7
April	3	8
May	4	7
June	4	1

This table shows that the strategies and focus applied in having the longer outstanding applications determined is showing positive results with a steady reduction in the number of these longer outstanding applications.

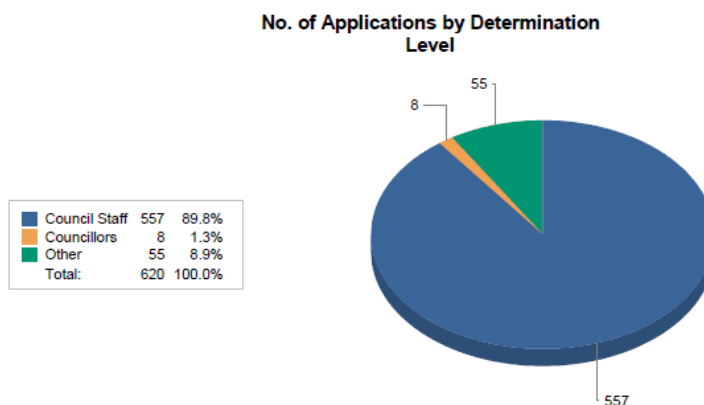
Determination Method

The following pie charts provide an overview as to how applications are being determined.

‘Other’ denotes applications withdrawn.

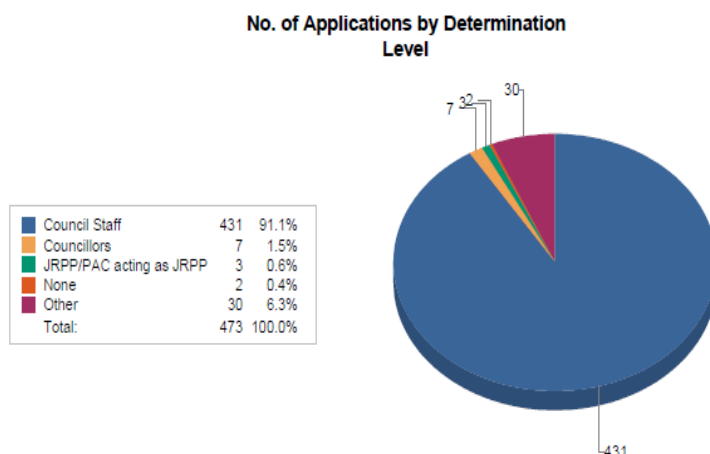
‘None’ denotes applications rejected. In both cases, the applications do not progress to determination.

2022/2023

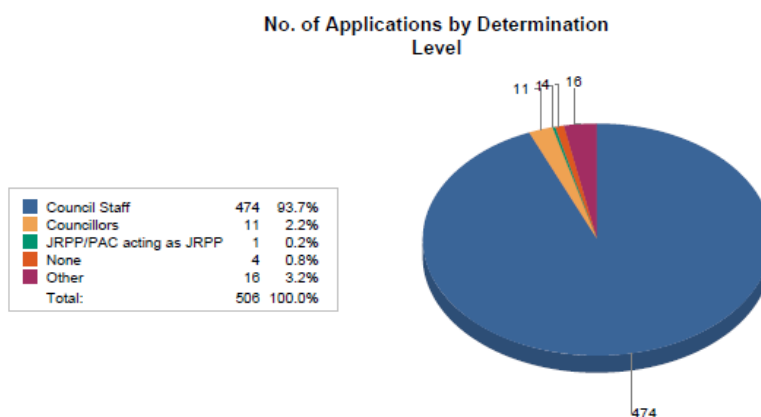


8.3 Development Applications - Works in Progress - June 2025

2023/2024



2024/2025



In the 2024/2025 financial year, 98% of applications determined have been resolved by staff under delegation.

The target for the percentage of applications determined under delegated authority in the 2024/25 Delivery Program and Operational Plan is >95%.

One application was determined by the Northern Regional Planning Panel during this period.

Determination Outcome

In relation to the determination of DAs, most development applications are determined by way of approval.

In the previous three financial years the approval rate has been 97% (2023/24), 98% (2022/23) and 99% (2021/22).

In the last financial year 2024/25, 91% of all applications determined by Council have been approved.

8.3 Development Applications - Works in Progress - June 2025

There has been a decline in the percentage of approvals as processes are adjusted to meet the Minister's Statement of Expectations.

The expectations mean Council cannot hold on to applications and negotiate with proponents to resolve issues in the same way as Council once did.

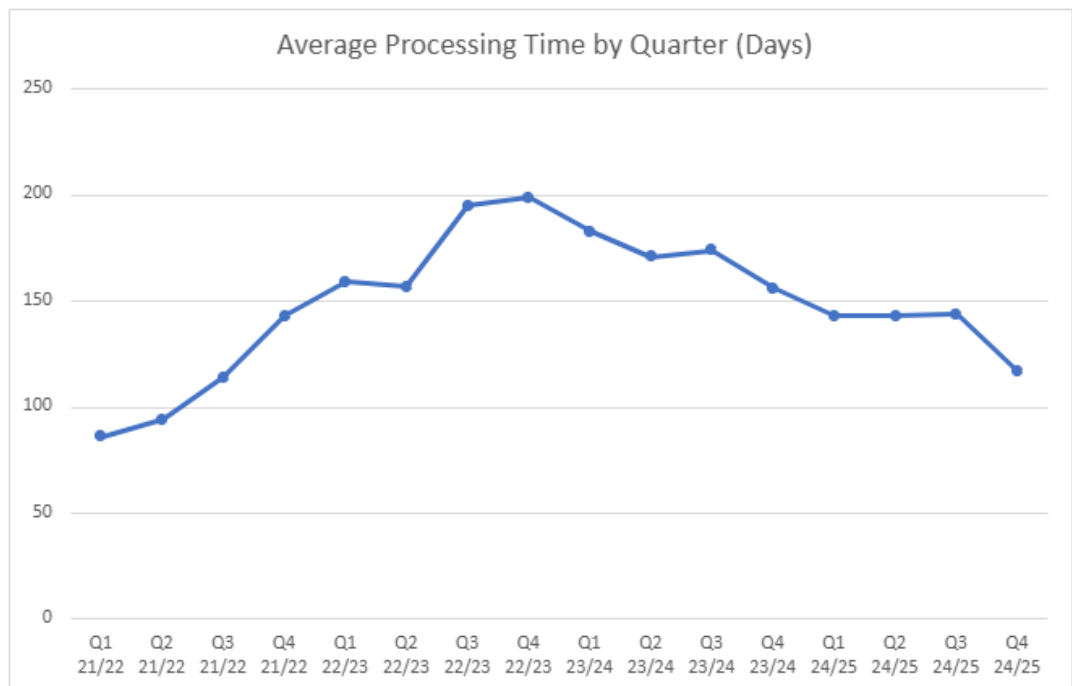
Variations to Development Standards

In accordance with Department of Planning reporting requirements, the following information is provided on development applications lodged prior to 1 November 2023 where a variation to a development standard of 10% or less (via the BLEP 1987 or BLEP 2012) has been approved by staff under delegated authority in the period April to June 2025.

DA Details	Proposal and Address	EPI and Land Zoning	Development Standard and Approved Variation	Justification for Variation
Nil	Nil	Nil	Nil	Nil

Processing Time

The following chart indicates average processing times for DAs by month. The chart shows the trend since the 2021/22 financial year by the average monthly processing time, per quarter.



Like the number of DAs undetermined, the average assessment time is a continued reflection of previous years' high DA volumes and complexity of incoming applications, ongoing management of numerous large development and subdivision projects under construction, the determination of long outstanding DAs and staff numbers, which significantly contribute to average processing times and month to month fluctuations.

8.3 Development Applications - Works in Progress - June 2025

The current resourcing strategy, including the engagement of external assistance, has been aimed at reducing the volume of DAs held each month and in turn average processing times over a 12-month period.

Staff have implemented several strategies to address DA assessment times.

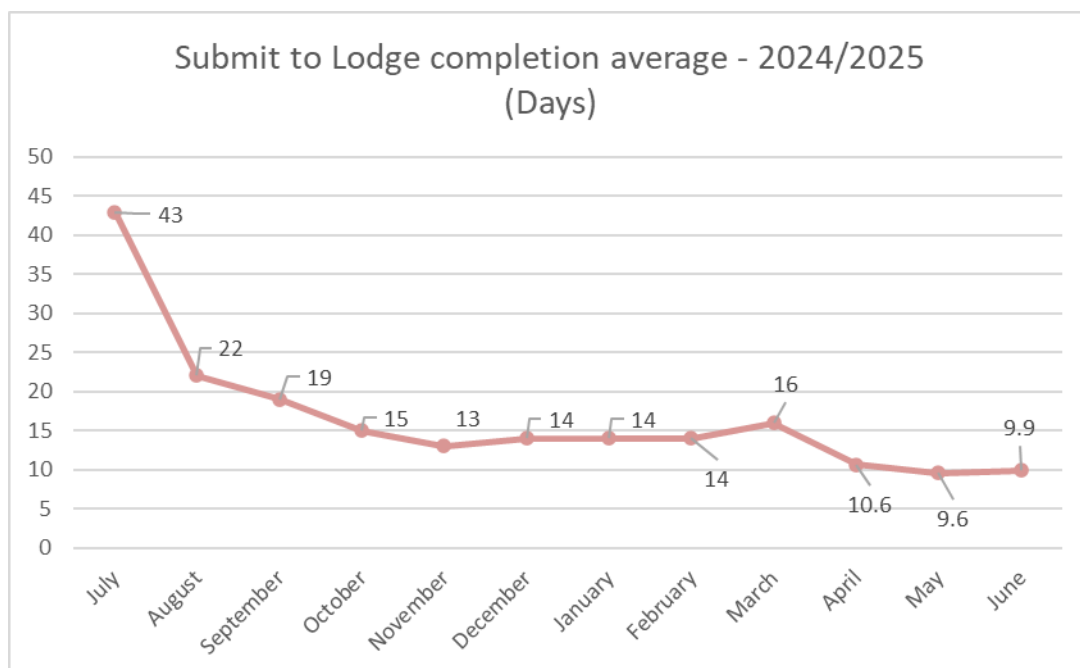
These have been outlined in quarterly reports during 2024/25 and the table in Attachment 1 also provides a summary in the context of the “Two Things” (independent consultant) development assessment process review (see below).

Aside from reduced DAs under assessment and fewer DAs over 12 months old, another notable improvement has been in the submit to lodge timeframe (or the adequacy phase).

The adequacy review figures being published on the Department’s league tables are higher than Council’s figures.

This discrepancy is a consequence of deficiencies in the NSW Planning Portal, in the way the portal calculates some of the timeframe data.

What is evident from Council’s figures (as shown in the following chart) is that changes made to the process at the beginning of last financial year have had a positive effect on reducing the submit to lodge timeframe, with Council meeting the Minister’s expectation of 14 days or less each month since November 2024 (except for March 2025 which was slightly over the target).



Another notable outcome is that whilst Council’s average assessment, as reported on the portal for 2024/25 exceeded the Minister’s target timeframe for of 115 days, 66% of all DAs determined during 2024/25 were completed in under 115 days.

The experience for most applicants is that their application is determined in under 115 days.

8.3 Development Applications - Works in Progress - June 2025

Separate to average determination times, the median assessment time is a better indicator of time frame performance, especially for councils with substantial numbers of DAs across a diversity of issues and where there are areas of greenfield land release (such as coastal and growth area councils).

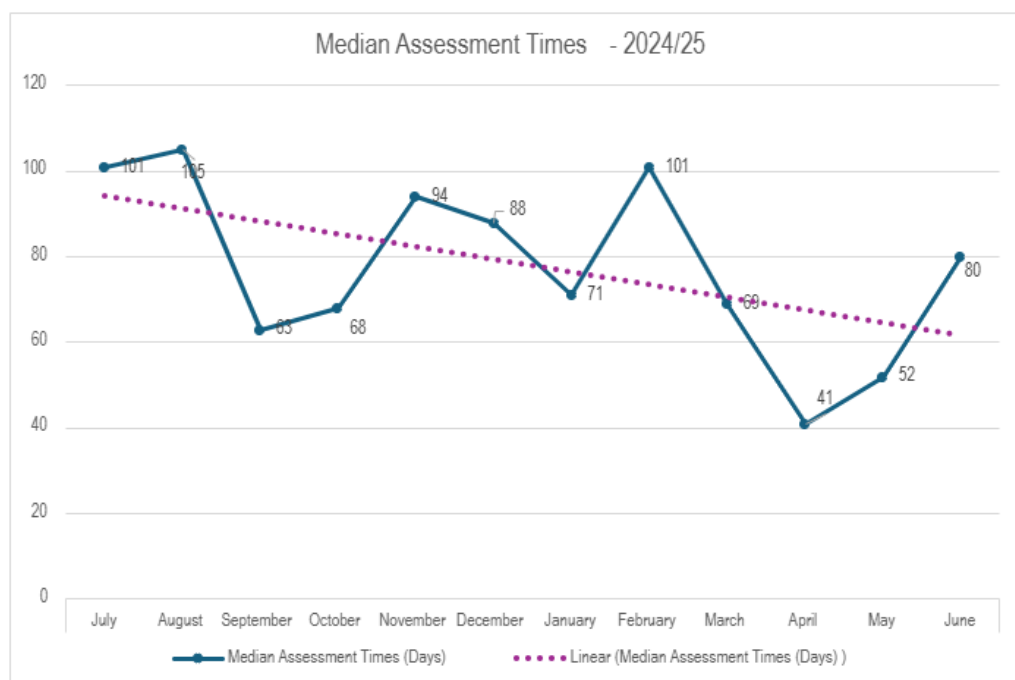
This is because averages are well suited statistically to symmetrical evenly distributed data sets, whereas the median is a more suitable for reporting on data sets with outliers.

DA assessment in coastal and growth involves outliers (e.g. urban subdivisions with layers of constraints) can take considerable time to assess and determine, with these types of DAs then noticeably influencing average determination timeframes but representing a small proportion of overall DA numbers and customer experience.

Another way to look at outliers is based on DAs that take substantially longer than most applications (e.g. DAs that take more than 12 months to determine).

There are relatively small numbers of these applications, but when a few applications stretch out over a prolonged period, a small number can significantly impact average timeframes.

Positively, as shown in the following chart, in 2024/25 the monthly median assessment time has been trending down.

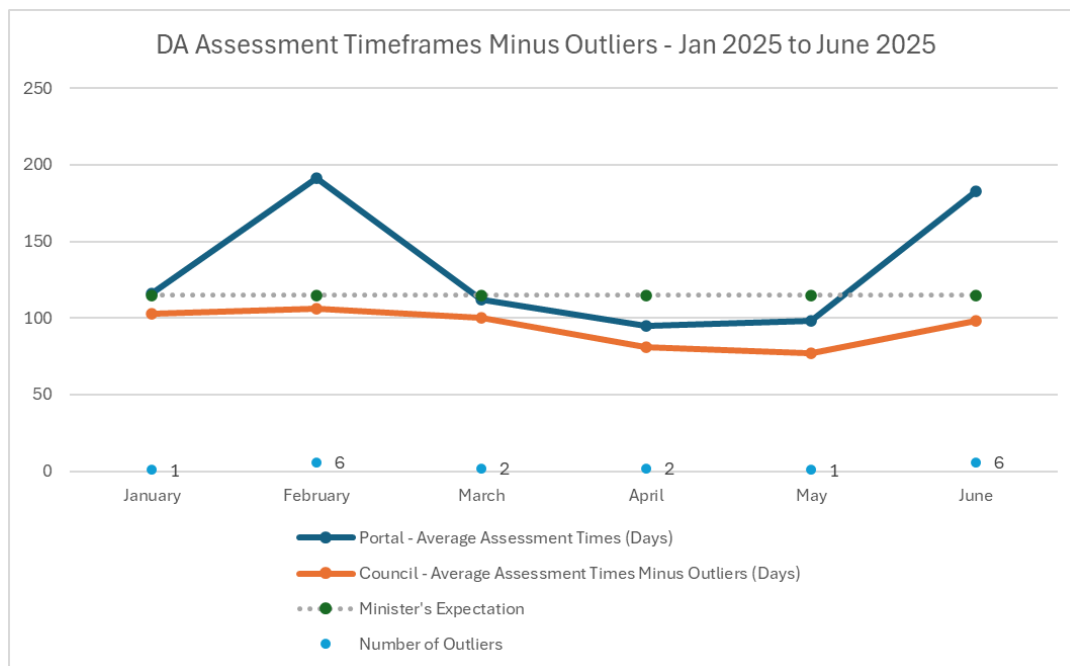


In terms of outliers and the consideration of the use of average and median assessment times to gauge performance, the next chart shows the effect of outlier DAs that are at the higher end of the assessment timeframe range (i.e. more than 12 months to determination).

The chart shows that average determination times for DAs aside from 18 outliers (being applications that had a determination time of more than 12 months) met the Minister's expectations of 115 days for the period January to June 2025.

8.3 Development Applications - Works in Progress - June 2025

There were 191 DAs determined during this period (excluding modifications).



Total DA Volume

The next table provides an indication of the total annual volume of DAs.

The figures are for DAs and section 4.55 modifications and do not include complying development certificates or other related applications for approvals.

The figures for 2024/25 show the number of submitted DAs is 4.5% below last year's figure.

Volume is not the only influence on the key assessment indicators.

The type of applications received is also a factor and there have been an increasing volume of enquiries and applications relating to substantial residential subdivisions, commercial, mixed use and multi storey developments.

The trend for DA volume is uncertain at present.

Although DA volume has been trending downwards, it could begin to increase again in a short timeframe.

	Year							
	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25
No. of DAs Submitted	861	890	976	1,093	1,020	759	602	575
% Change	N/A	+3.4%	+9.7%	+12%	-7.2%	-25%	-20%	-4.5%

Development Assessment Review

Council engaged an independent consultant, "Two Things", to assess options that could be implemented to improve development assessment times. The

8.3 Development Applications - Works in Progress - June 2025

review has been completed and a briefing on the outcomes was provided to Councillors in May 2025.

Following on from the “Two Things” review, an action plan has been prepared to guide implementation of the recommendations.

The recommendations, along with planned actions and summary information about actions taken to date are set out in Attachment 2.

The timeframes are indicative and may be adjusted as work on the actions progresses.

The plan is also intended to be a working document that is responsive to data and trend information, as well as feedback during the implementation period.

The key priority is to focus on the progression and completion of responses during 2025/26.

The review process has focussed on the Minister for Planning’s Statement of Expectations Order which came into effect on 1 July 2024 and development assessment related data that the State Government has commenced publishing.

The following link provides information on both the Statement of Expectations Order 2024 and the Monitoring Council Performance data.

[Statement of Expectations Order | Planning \(nsw.gov.au\)](#)

RECOMMENDATIONS

1. That Council notes the contents of this report on the status of outstanding development applications for June 2025.
2. That Council notes there was no variation to development standards of 10% or less approved in relation to development applications lodged prior to 1 November 2023 in the period 1 April 2025 to 30 June 2025.
3. That Council notes the contents of the Action Plan responding to the recommendations arising from the “Two Things” review of the development assessment process, as per Attachment 2 to this report.

Attachment(s)

1. Undetermined DAs (Under Assessment 90 Days) - 1 April 2025 - 30 June 2025 [⇒](#)
2. Two Things DA Assessment Process Recommendations - Action Plan [⇒](#)

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.

US2025/13	<p>Ballina Shire Council Lease to Specsavers P/L, 153 and 155 River Street Ballina. Variation to initial lease term from 6 to 7 years.</p> <p>Explanation: Council resolved to grant a lease to Specsavers P/L for 153 and 155 River Street Ballina in May 2025 with a lease term of 6 years plus 2 x 5 years.</p> <p>Specsavers have now requested the initial lease term to be 7 years plus 2 x 5 years.</p> <p>This is considered reasonable given the capital investment that Specsavers will be undertaking at the premises.</p>
US2025/14	<p>Ballina Shire Council Lease to Mori's Japanese Kitchen Pty Ltd, Shop 11 Wigmore Arcade Ballina</p> <p>Explanation: Council resolved to offer a lease to M Tamura for shop 11 Wigmore Arcade Ballina at the June 2025 Ordinary meeting. Mr Tamura has now advised that he has registered a company name and wishes to have the lease in the company name. All other terms and conditions are the same.</p>

Attachment(s)

Nil

9.2 Investment Summary - June 2025

9.2 Investment Summary - June 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 June 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 30 June 2025 was \$98.9m compared to a balance of \$89.9m as at 31 May 2025.

Council's investments, as at 30 June 2025, were invested at a weighted average interest rate of 5.149%, which was 0.929% higher than the June average 90 Day Bank Bill Index (BBSW) of 4.220%.

The balance of Council's Commonwealth Bank business account, as at 30 June 2025 was \$18,038,620, compared to a balance of \$21,743,594 as at 31 May 2025. Total combined cash and investments, as at 30 June 2025 was \$116,938,620 compared to a balance of \$111,643,594, as at 31 May 2025.

The net increase of \$5.3m in cash and investments from May to June is due to the settlement of the transfer of the Marom Creek infrastructure to Rous County Council on 30 June 2025, rate payments due the end of May along with grant funds received during the month (Roads to Recovery \$1.1m, SES Building \$1.87m and 2025/26 Financial Assistance Grants in advance \$3.2m) partly offset by creditor payments made during the month.

9.2 Investment Summary - June 2025

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

Restricted Reserves

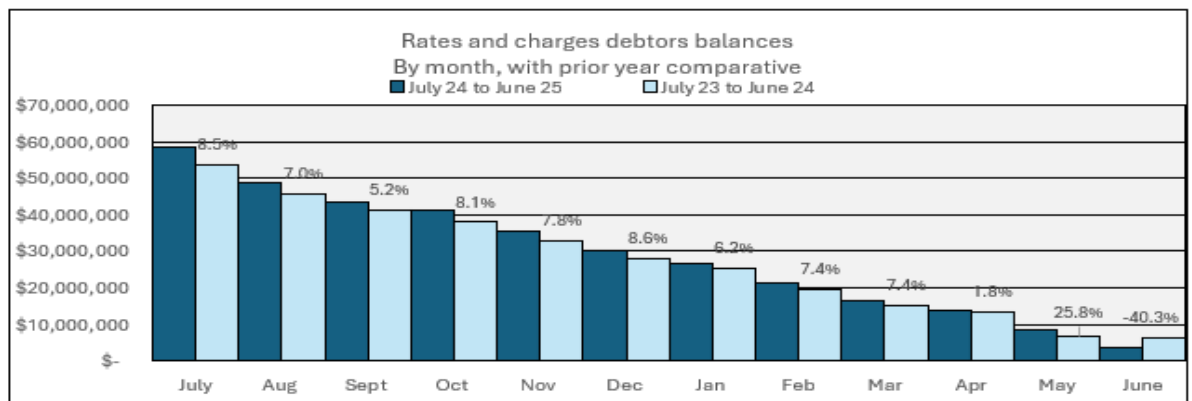
The majority of Council's investment portfolio is restricted by legislation (external) and Council (internal) uses for specific purposes. The following table reflects the portfolio percentages based on 30 June 2024 balances.

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%

* Reflects reserves held as at 30 June 2024. This table will be updated for 30 June 2025 as part of the financial statements' completion process.

Debtors

As per the following chart, the balance, as at 30 June 2025, was 40.3% lower than 30 June 2024.



9.2 Investment Summary - June 2025

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

The difference in \$ value between the two years is not considered significant, however it does show that there has been an overall improvement.

A. Investments by Institution

Funds Invested With	Fossil Fuel Free / Green	Rating S&P	31 May \$'000	30 June \$'000	Quota %	% of Total
AMP Bank	Yes	BBB+	11,000	7,000	20%	7.09%
Australian Unity	Yes	BBB+	2,000	12,000	20%	12.13%
Auswide Bank	Yes	BBB	8,000	6,000	20%	6.07%
Bank of Queensland	Yes	A-	9,000	11,000	20%	11.12%
BankVic	n/a	BBB+	5,000	5,000	20%	5.06%
Bendigo & Adelaide Bank	Yes	BBB+	1,000	1,000	20%	1.01%
Beyond Bank	Yes	BBB+	4,000	-	20%	-
Commonwealth Bank	No	AA-	1,000	1,000	20%	1.01%
Defence Bank Ltd	n/a	BBB+	3,000	3,000	20%	3.03%
G & C Mutual	Yes	BBB+	4,000	4,000	20%	4.04%
IMB Bank	Yes	BBB	3,000	3,000	20%	3.03%
ING Bank (Australia) Ltd	No	A	2,000	2,000	20%	2.02%
Judo Bank	n/a	BBB	-	8,000	20%	8.09%
Macquarie Bank	No	A+	1,600	1,600	20%	1.62%
MyState Bank Ltd	Yes	BBB+	2,000	2,000	20%	2.02%
National Australia Bank	No	AA-	12,000	10,000	20%	10.11%
Newcastle Greater Mutual Group Ltd	Yes	BBB+	1,000	1,000	20%	1.01%
Rabobank Australia Ltd	No	A+	10,000	11,000	20%	11.13%
Suncorp Limited	No	A+	8,300	8,300	20%	8.39%
Westpac Bank Corp	No	AA-	2,000	2,000	20%	2.02%
Total			89,900	98,900		100.0%

Credit Rating Summary as per the Investment Policy	Maximum Allowed		Value 31 May \$'000	Value 30 June \$'000	%	%
	%	Value \$'000				
A- or Higher	100%	98,900	45,900	46,900	51.1%	47.4%
BBB	60%	59,340	44,000	52,000	48.9%	52.6%
Total			89,900	98,900	100.0%	100.0%

Liquidity Risk Parameters as per the Investment Policy	Maximum Allowed		Value \$'000 31 May	Value \$'000 30 June	%	%
	%	Value \$'000				
Term equal to 1 year or less	100%	98,900	80,000	89,000	89.0%	90.0%
Term > 1 year and < 3 years	40%	39,560	-	-	-	-
Term > 3 years	20%	19,780	9,900	9,900	11.0%	10.0%
Total			89,900	98,900	100.0%	100.0%

Fossil Fuel Free and Green Investments

Environmental Classification	31 May		30 June	
	(\$'000)	(%)	(\$'000)	(%)
Fossil Fuel Aligned Investments	36,900	41.0	35,900	36.3
Non-Fossil Fuel Aligned Investments	45,000	50.1	47,000	47.5
Not Classified	8,000	8.9	16,000	16.2
Total	89,900	100.0	98,900	100.0

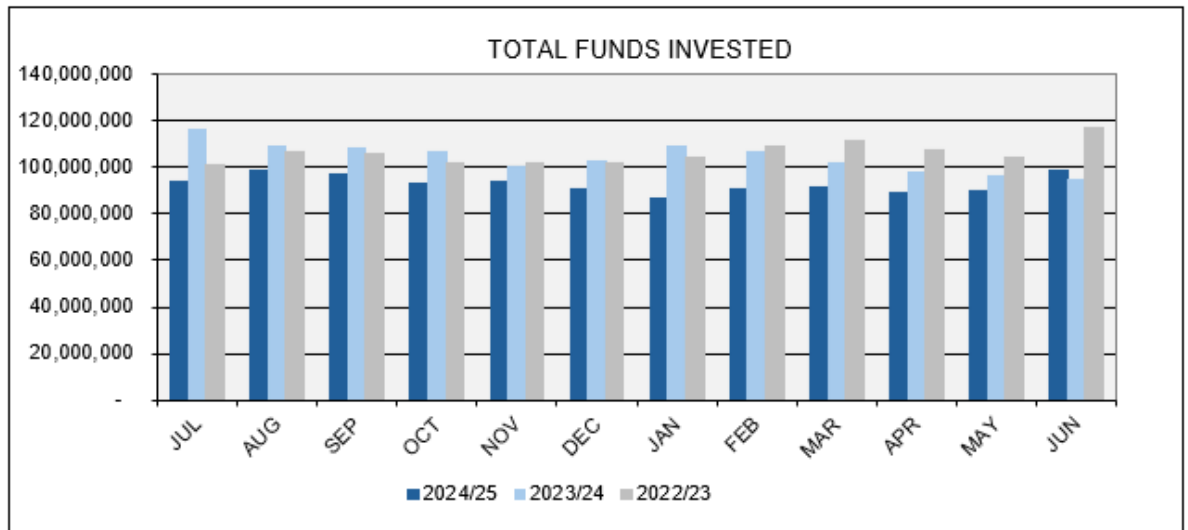
9.2 Investment Summary - June 2025

In June 2025, eleven investments matured totalling \$25.6m. Seven of these investments were held with non-fossil fuel aligned institutions totalling \$14m.

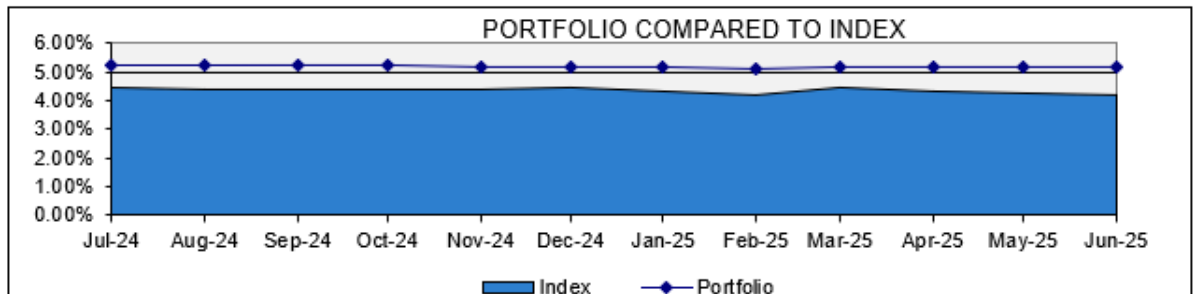
Nineteen new investments, totalling \$34.6m were placed.

Nine of these investments were with non-fossil fuel aligned institutions totalling \$16m and four were with non-classified institutions totalling \$8m.

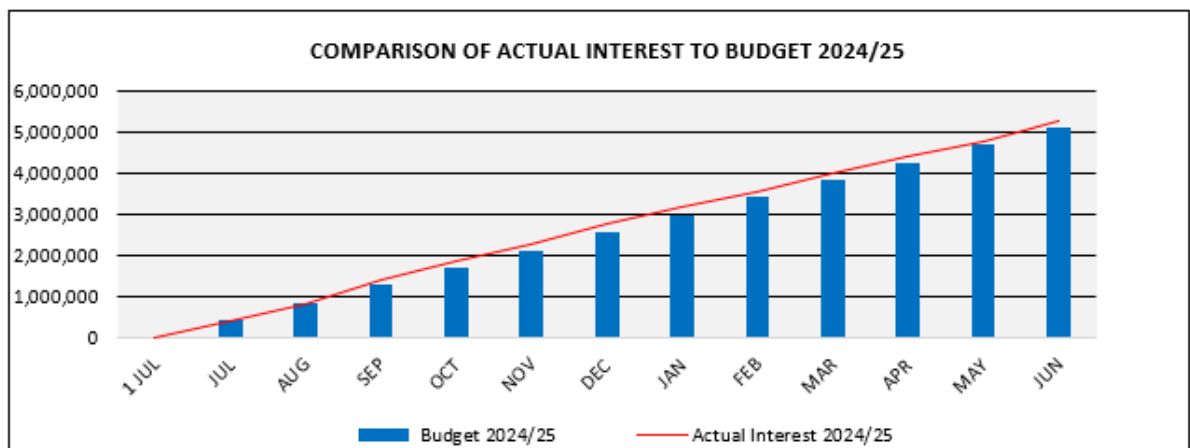
B. Monthly Comparison of Total Funds Invested



C. Comparison of Portfolio Investment Rate to 90 Day BBSW



D. Progressive Total of Interest Earned to Budget



9.2 Investment Summary - June 2025

E. Investments held as of 31 May 2025 and 30 June 2025

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	31 May \$'000	30 June \$'000
24/02/21	Suncorp-Metway Limited	FRN	4.16%	24/02/26	1,300	1,300
04/03/21	Newcastle Greater Mutual Group Ltd	FRN	4.33%	04/03/26	1,000	1,000
18/06/21	Bendigo & Adelaide Bank	FRN	4.35%	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	4.56%	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	4.67%	19/03/29	1,000	1,000
22/08/24	Commonwealth Bank of Australia	FRN	4.60%	22/08/29	1,000	1,000
04/06/24	MyState Bank Ltd	TD	5.25%	03/06/25	2,000	-
27/06/24	National Australia Bank	TD	5.50%	24/06/25	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	-
28/08/24	Rabobank Australia Ltd.	TD	5.00%	03/06/25	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
10/12/24	Beyond Bank	TD	5.18%	10/06/25	2,000	-
10/12/24	Beyond Bank	TD	5.18%	17/06/25	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	-
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
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
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	2,000
30/05/25	Bank of Queensland	TD	4.30%	02/12/25	2,000	2,000
30/05/25	National Australia Bank	TD	4.20%	03/03/26	2,000	2,000

9.2 Investment Summary - June 2025

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	31 May \$'000	30 June \$'000
03/06/25	Australian Unity Bank Ltd	TD	4.35%	05/01/26	-	2,000
03/06/25	Australian Unity Bank Ltd	TD	4.35%	06/02/26	-	2,000
03/06/25	Australian Unity Bank Ltd	TD	4.35%	03/03/26	-	2,000
03/06/25	Australian Unity Bank Ltd	TD	4.35%	02/04/26	-	2,000
03/06/25	Australian Unity Bank Ltd	TD	4.35%	03/06/26	-	2,000
03/06/25	MyState Bank Ltd	TD	4.35%	02/12/25	-	2,000
03/06/25	Rabobank Bank Australia Ltd.	TD	4.41%	09/12/25	-	2,000
10/06/25	Rabobank Bank Australia Ltd.	TD	4.44%	16/12/25	-	2,000
10/06/25	Rabobank Bank Australia Ltd.	TD	4.31%	17/03/26	-	2,000
24/06/25	Bank of Queensland	TD	4.37%	20/01/26	-	2,000
24/06/25	Judo bank Pty Ltd	TD	4.50%	16/12/25	-	2,000
24/06/25	Judo bank Pty Ltd	TD	4.35%	21/10/25	-	2,000
26/06/25	Judo bank Pty Ltd	TD	4.45%	13/01/26	-	2,000
26/06/25	Judo bank Pty Ltd	TD	4.45%	06/01/26	-	2,000
26/06/25	National Australia Bank	TD	4.25%	23/09/25	-	2,000
	Total				89,900	98,900
	TD=Term Deposit; FRN=Floating Rate Note					

RECOMMENDATION

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

Attachment(s)

Nil

9.3 Councillor Expenses - 2024/25 Financial Year

9.3 Councillor Expenses - 2024/25 Financial Year

Delivery Program

Governance

Objective

To report on Councillor Expenses for the twelve month period to 30 June 2025.

Background

Clause 15.2 of the Office of Local Government's Model Councillor Expenses and Facilities Policy, as adopted by Council, requires a report to Council every six months outlining the provision of expenses and facilities to each Councillor.

Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations. Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

This information is also published on Council's website.

Key Issues

- Compliance with model policy
- Effectiveness of policy in supporting Councillors

Discussion

This report details the expenditure incurred for the period 1 July 2024 to 30 June 2025. The expenditure is based on claims submitted and paid. It excludes the annual Councillor and Mayor allowances.

Councillor Expenses and Facilities (\$ excl GST) 1 July 2024 to 30 June 2025

Councillor	General Travel Expenses	Professional Development / Conferences	ICT	Home Office	Incidental	Mayor Vehicle (1)	Carer	Planning Panel (NRPP)	Totals
Cadwallader	5,676	2,134	545	0	663	13,200	0	1,200	23,418
Dicker	902	5,902	0	0	227	0	195	0	7,226
Chate	2,348	5,398	717	0	389	0	0	0	8,852
Meehan	344	1,756	561	81	227	0	0	0	2,969
Loone	62	0	0	0	227	0	0	1,800	2,089
Karsten	0	2,747	0	0	227	0	0	0	2,974
Kinny	475	4,077	0	0	318	0	0	0	4,870
Crollick	1,342	3,085	109	0	227	0	0	0	4,763
Bailey	20	2,773	0	0	227	0	0	600	3,620
Ramsey	973	0	73	0	227	0	0	0	1,273
Johnson(2)	0	0	0	0	0	0	0	0	0
Johnston(2)	480	0	0	0	0	0	0	0	480
McCarthy(2)	0	0	55	0	0	0	0	0	55
Buchanan(2)	0	0	0	0	0	0	0	0	0
Bruem(2)	120	0	162	0	0	0	75	0	357
Total									62,946

9.3 Councillor Expenses - 2024/25 Financial Year

- (1) Annual internal plant hire charge for the provision of the Mayoral vehicle, with this contribution partially offset during the year by Mayoral contributions of 25% of the standard vehicle lease fee paid by Council staff – Mayoral contributions total - \$2,409.68.
- (2) Former Councillors where expenses incurred for the period 1 July to 14 September 2024.

The Council policy provides the following limits (excluding GST):

- \$4,000 annual limit for Councillors and \$7,000 annual limit for the Mayor on general travel expenses.
- \$6,000 annual limit on professional development and conferences (excluding induction training).
- \$100 per month for reimbursement of Information and Communication Technology (ICT) expenses (data, software and internet), which is in addition to the cost of providing the Council equipment.
- \$500 annual limit on home office expenses.
- \$4,000 annual limit on carer expenses.
- There is no cap on corporate training provided for all Councillors, with this training organised by Council staff.

Delivery Program Strategy / Operational Plan Activity

EL1.2 – Involve our community in our planning and decision-making processes.

Community Engagement Strategy

The Councillor Expenses and Facilities Policy must be reviewed within 12 months of an election, which includes public exhibition.

The review of this policy occurred in February 2025, adopted formally by Council in May 2025.

Financial / Risk Considerations

Council expenditure, as per this report, for the past four years, is as follows:

Year	2024/25	2023/24	2022/23	2021/22
Total	62,946	95,098	90,215	25,845

Options

This report is for noting and represents the expenditure for the 2024/25 financial year.

This report also provides a good opportunity for Councillors to confirm preferred corporate training that they would like to see delivered during the upcoming financial year.

Following the Councillor induction program, a survey was provided, with seven responses received.

The overall score from the question '*how likely would you recommend this program to a colleague*' was 9.4 out of 10.

9.3 Councillor Expenses - 2024/25 Financial Year

Feedback from this survey, also identified the following key priorities for training over the next twelve months, in preference order, as follows:

- Financial Management
- Community and stakeholder engagement
- Integrated Planning and Reporting
- Audit Risk and Improvement
- NSW Planning System
- Code of Meeting Practice
- Code of Conduct and Conflicts of Interest
- Chairing meetings
- Media Management
- Social Media

Based on this feedback, it is intended to focus on the top three topics for 2025/26; i.e.

1. Financial Management
2. Community/Stakeholder Engagement and
3. Integrated Planning and Reporting

Council may wish to amend these priorities. Corporate training does not form part of the Councillor professional development budget limit.

Councillors can also undertake further training in any of the above items, or any other areas of interest, as per the Councillor Expenses and Facilities Policy, subject to the \$6,000 limit per Councillor.

It was also intended to have a follow up workshop to the initial *Working Together Workshop*, to work on strategies to foster collaborative decision making and positive working relationships.

However, as the feedback was very mixed, with some Councillors rating it as excellent and wishing to repeat the exercise, and others rating it as having no positive benefit, it is not intended to run a second workshop, unless resolved by Council.

RECOMMENDATIONS

1. That Council notes the contents of this update on the Councillor expenses, as per the Councillor Expenses and Facilities Policy, for the period 1 July 2024 to 30 June 2025.
2. That Council notes the key priorities for Councillor training in 2025/26 are Financial Management, Community and Stakeholder Engagement and Integrated Planning and Reporting.

Attachment(s)

Nil

9.4 Donations - Rates and Charges - 2025/26

9.4 Donations - Rates and Charges - 2025/26

Section

Financial Services

Objective

To obtain Council approval to donate the 2025/26 rates and charges in accordance with the Donations - Rates and Charges policy.

Background

Council's [Donations – Rates and Charges](#) policy was developed to provide guidelines for the management of rates and charges donations to community-based service organisations.

The policy identifies the various categories of organisations that provide a community-based service, which are located on Council or Crown Land controlled by Council, (there are some exceptions) and the level of assistance provided each year in respect to Council's rates and charges.

This policy has undergone numerous reviews over the years to ensure that it reflects the sentiment of each Council, most recently in May 2024.

Even though a policy has been adopted, Council resolves annually to confirm the donation of the various rates and charges in accordance with Section 356 of the Local Government Act.

Key Issues

- Fair and equitable allocation of Council monies
- Benefit and cost
- Compliance with the Local Government Act

Discussion

The following table provides details of specific fixed rates and charges to be donated for the 2025/26 rating year based on the policy.

All amounts have been rounded to the nearest dollar.

Table One – Donations – 2025/26 Rates and Annual Charges

Assess No.	Organisation	Ordinary Rate	Water Access	Waste-water Access	Storm-water	On Site Septic	Waste	Total (\$)
Category A - 100% of all rates and charges donated								
415027	Ballina / Lismore SLSC	0	413	835	0	0	0	1,248
120347	Lennox / Alstonville SLSC	0	1,660	4,170	0	0	0	5,830
295613	Surf Life Saving FNC Branch Inc.	0	826	835	0	0	0	1,661
173390	CWA of NSW (Ballina)	0	265	835	0	0	465	1,565

9.4 Donations - Rates and Charges - 2025/26

Assess No.	Organisation	Ordinary Rate	Water Access	Waste-water Access	Storm-water	On Site Septic	Waste	Total (\$)
Category B - 100% of all fixed rates and charges donated (excludes measurable user pays charges)								
115643	Alstonville Agricultural Society	6,863	1,091	3,314	300	0	0	11,568
145363	Fox Street Preschool	0	265	835	0	0	0	1,100
145397	Biala School	0	265	835	0	0	0	1,100
151966	Rainbow Children's Centre	8,331	265	835	100	0	0	9,531
172661	Ballina Playgroup	0	265	835	0	0	0	1,100
172679	River Street Children's Centre	0	265	835	0	0	0	1,100
186115	Wigmore Hall	0	265	835	0	0	0	1,100
213726	Lennox Scouts	0	265	835	0	0	0	1,100
213734	Lennox Preschool	0	265	835	0	0	0	1,100
230045	Tintenbar School of Arts Trustees	2,422	0	0	0	82	0	2,504
232013	Wardell Hall	4,024	265	835	50	0	0	5,174
234170	Rous Mill Hall	2,709	0	0	0	82	0	2,791
235231	Meerschaum Vale Hall	1,671	265	0	0	82	0	2,018
239675	Pimlico Hall	1,034	0	0	0	82	0	1,116
250663	Pearces Creek Hall	2,207	0	0	0	82	0	2,289
253556	Alstonville Scouts	0	0	0	0	82	0	82
254780	McLeans Ridges Hall	3,178	0	0	0	82	0	3,260
264036	Alstonville RSL Sub Branch Hall	2,241	265	835	25	0	0	3,366
283527	Alstonville Plateau Historical Society	3,274	265	835	50	0	0	4,424
294243	Ballina Scouts	0	265	835	0	0	0	1,100
334289	Marine Rescue NSW. Prev known as Ballina Jetboat Surf Rescue (merged November 2023)	960	265	0	25	0	0	1,250
410417	Ballina Community Gardens Inc	0	265	835	0	0	0	1,100
417338	Newrybar Hall	3,353	0	0	0	82	0	3,435
417590	Alstonville Community Preschool	0	265	835	75	0	0	1,175
418960	Wollongbar Preschool	0	265	835	0	0	0	1,100
422684	Wollongbar Community Hall	0	265	835	50	0	0	1,150
423070	Marine Rescue NSW	0	413	1,240	0	0	0	1,653
437477	Lennox Head Community Gardens Inc	0	265	0	0	0	0	265
Totals (Category A, B)		42,267	9,703	24,589	675	656	465	78,355

9.4 Donations - Rates and Charges - 2025/26

The next table **provides estimates** of the water consumption-based charges that are to be donated on a quarterly basis during 2025/26, in addition to the fixed annual charges provided in the previous table. Actual amounts donated are determined by future quarterly water meter readings.

Table Two – Donations – 2025/26 Estimated Volumetric Based Charges

Assessment Number	Organisation	Estimated Water Consumption Bill (\$)	Estimated Wastewater Usage Bill (\$)	Estimated Total Bills (\$)
415027	Ballina / Lismore SLSC	598	282	880
120347	Lennox / Alstonville SLSC	2,708	1,624	4,332
295613	Surf Life Saving FNC Branch Inc.	1630	620	2,250
173390	CWA of NSW (Ballina)	150	134	284
Totals (Estimated)		5,086	2,660	7,746

The next table provides a comparison between the estimated 2025/26 rates and charges donations and the actual 2024/25 rates and charges donations.

Table Three – Donations – Comparison between 2025/26 and 2024/25

Rate or Charge Description	Proposed 2025/26 Donations	Actual 2024/25 Donations	Difference (\$)	Difference (%)
Ordinary Rates	42,267	41,074	1,193	2.90
Water Access Charges	9,703	9,156	547	5.97
Water Consumption Charges	5,086	4582	504	9.9
Wastewater Access Charges	24,589	23,879	710	2.98
Wastewater Usage Charges	2,660	2604	56	2.11
Waste or Recycling Charges	465	437	28	6.41
On Site Sewage Management Fees	656	640	16	2.50
Stormwater Management Charges	675	675	0	0
Totals	86,101	83,047	3,054	4.68

The proposed 2025/26 donations are consistent with the 2024/25 financial year, allowing for the adopted rate and charge increases.

Delivery Program Strategy / Operational Plan Activity

The donations are funded in the 2025/26 Operational Plan and budget.

The provision of donations to community service groups contributes to Delivery Program Strategies:

- CC3.3 Support improved health and wellbeing outcomes through the provision of sporting, recreational and community facilities

Community Engagement Strategy

The Council Policy and Operational Plan are exhibited prior to adoption.

Financial / Risk Considerations

Financial support to community organisations, allows the organisation to spend more money on providing their service(s) to the local community.

Section 356 of the Local Government Act requires a resolution of the council, to contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions, unless it is part of a specific program that has details outlined in the council's draft operational plan.

Options

The options are to approve, or not approve, the rates and charges donations for each of the assessments detailed within this report.

The donations listed are consistent with Council policy.

RECOMMENDATION

That Council, in accordance with the Donations – Rates and Charges Policy, approves the donation of the 2025/26 rates and charges, as detailed within Tables One and Two of this report, which includes estimated water consumption and wastewater usage charges, pursuant to Section 356 of the Local Government Act.

Attachment(s)

Nil

9.5 **Donations - Community and Sporting Groups - 2025/26**

Section Communications

Objective To allocate the community and sporting group donations for 2025/26

Background

Council has two policies where submissions are called from the community each year for funding assistance. The two policies are:

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

The 2025/26 Operational Plan includes the following funding allocations for these programs:

- Donations - Financial Assistance for Community Groups \$84,000
- Donations - Community Sporting Groups Capital Works Assistance \$34,000

In accordance with a resolution from the June 2025 Ordinary meeting, a working party of Councillors met on 7 July 2025 to allocate available funds based on submissions received during the preparation of the 2025/26 Operational Plan.

The purpose of this report is to consider the recommendations and confirm the allocation of donations for 2025/26 in accordance with Section 356 of the Local Government Act.

Key Issues

- Fair and equitable allocation of Council monies
- Benefit to community
- Compliance with Local Government Act

Discussion

The donations working party consisted of Councillors Cadwallader, Bailey, Kinny, Loone, Crollick, Chate, Ramsey, Karsten, and Meehan.

Details of the donation submissions were distributed to all Councillors via the Councillor Hub.

The submissions are lengthy and have not been reproduced in this agenda.

Donations Financial Assistance for Community Groups

Table one provides a summary of the various submissions for general donations and the final column is the recommended donation amount.

Table One: Submissions for Community Donations

Ref	Organisation name	Project	Request \$	Approved \$
1	Lennox Arts Board Inc	Part venue hire - LHCC hire and to host cultural and music events	1,000	1,000
2	Our Kids	Event costs - Our Kids Day Out, logistical costs and temporary fencing	1,000	1,000
3	Rural Doctors Network	Operating costs - Bush Bursary Program	1,500	1,500
4	Ballina and District Ministers Association Inc	Event costs - Riverside Carols	10,000	10,000
5	Richmond Tweed Family History Society Inc	Operating costs - rent support	700	700
6	Ballina Bosom Buddies Breast Cancer Support Group	Venue hire - Kentwell Community Centre	624	624
7	Scope Club of Ballina Inc	Operating costs - provide Christmas gift wrapping service	2,420	2,000
8	Ballina Multicentre Church	Minor works - restore three church leadlight windows	6,000	0
9	Paradise FM	Operating costs - membership fees	4,000	2,000
10	Lennox Head Combined Sports Carols Committee	Event costs - Christmas Carols in the Park @ Williams Reserve, Lennox Head	10,000	10,000
11	Ballina Community Gardens	Minor works - upgrade gravel road and pathways	2,000	2,000
12	Sewing Group	Venue hire - Northlakes Hall	1,098	1,098
13	Lions Club of Ballina Inc	Venue hire - Richmond Room	1,947	1,947
14	Ballina United Hospital Auxiliary	Minor works - purchase storage shed	3,399	3,000
15	Lennox Head Lions Club Inc	Operating costs - insurance, stationery, printing, advertising, vehicle expenses	4,657	2,000
16	Northern NSW Helicopter Rescue Service Limited t/a Westpac Rescue Helicopter Service	Event costs - Ballina Show n Shine, February 2026	1,000	1,000
17	Northern Rivers Pickleball	Part venue hire - BISC hire for Northern Rivers Regional Rally, August 2025 and CPR training	3,000	0
18	Ballina Shire Concert Band	Operating costs - band music, instrument purchases, repairs, maintenance, insurance, electricity and live music events	5,000	2,500
19	Dementia Inclusive Ballina Alliance	Event costs - Symposium in Ballina, October 2025	4,500	2,000
20	Ballina Lighthouse RSL Day Club	Part venue hire - Richmond Room hire and operating costs for programming	16,818	6,000
21	Lennox Head Landcare Inc	Minor works - fencing materials, transport and trailer registration	1,000	1,000
22	Lennox Head Residents' Association Inc	Part venue hire - CWA Hall hire and insurance	1,164	1,000
23	Lennox Head Community Playgroup	Venue hire - LHCC, Activities Room	2,196	2,000

9.5 Donations - Community and Sporting Groups - 2025/26

Ref	Organisation name	Project	Request \$	Approved \$
24	Quota Alstonville Inc	Event costs - Craft & Garden Fair, fencing and security	3,948	0
25	Ballina Hot Meal Centre	Operating costs - food staples to produce meals	1,000	1,000
26	Alstonville-Wollongbar Rural Fire Brigade NSW	Minor works - construct an accessible bathroom in the Fire Station	1,000	1,000
27	Lennox Head Community Preschool Inc	Part venue hire - LHCC hire for Trivia Night and insurance	5,000	1,000
28	Rotary Club of Ballina-on-Richmond	Part venue hire - BISC hire for Domestic Violence Awareness Walk, 28 November 2025 and insurance, advertising & media	2,500	2,500
29	Plateau Quilters Inc	Operating costs - rent, insurance, Fair Trading fees, materials and catering	800	800
30	Marine Rescue NSW-Ballina	Operating costs - Jet Boat maintenance and insurance	9,000	7,000
31	Lennox Community Gardens	Operating costs - purchase sundry garden products	841	841
32	Social Futures	Part venue hire - LHCC hire and events costs including security, sound, media, promotion, food	5,000	0
33	Ballina and District Historical Society	Operating costs - rent, electricity, insurance and internet	1,000	1,000
34	Wollongbar Community Action Network	Minor works - enhance the Wollongbar Community Hall grounds	5,000	2,000
35	Ballina Pipe Band	Operating costs - purchase headwear for 10 band members	1,000	1,000
36	Ballina Chamber of Commerce & Industry	Event costs - purchase tickets to attend the International Women's Day, 8 March, 2026	1,000	1,000
37	Patch's Beach Dunecare	Minor works - pay professionals to remove weeds from the dunes	5,000	1,000
38	Rous Mill and District Memorial Hall Inc	Operating costs - purchase a defibrillator and insurance	6,038	2,000
39	Rous Public School P&C Committee	Event costs - Rous Bonfire Night, equipment hire, safety services and food costs	3,000	1,000
40	Lennox Lightning Toastmasters Club	Venue hire - LHCC CWA Hall	985	985
41	Pearces Creek Hall	Operating costs - insurance	2,000	1,000
42	CPL - Choice, Passion, Life	Operating costs - woodworking bench, tools, safety equipment and storage shed	5,000	0
43	Heritage Advisory Ballina	Minor works - install a sign indicating the position of headstones in Ballina cemetery	900	900
TOTAL			145,035	80,395
	Ballina Branch of CWA	Minor works – carry over donation from 2024/25	5,000	

Quota Alstonville Inc (ref 24) is not supported as the applicant was awarded \$5,000 under the 2025/26 Festival and Events Funding.

9.5 Donations - Community and Sporting Groups - 2025/26

The Ballina Branch of the CWA was awarded \$5,000 under the previous year's Community Donations Program. 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.

These funds will be carried forward from 2024/25 to 2025/26. This donation is excluded from total amount.

Northern Rivers Pickleball (ref 17) was not awarded funding as it was considered discretionary to participate in the competition and there is limited benefit to the entire community. One of the eligibility criteria is to consider the number of proposed beneficiaries of the funding.

Social Futures and CPL (ref 32 and 42) have alternative funding sources such as the State Government.

Donations Community Sporting Groups Capital Works Assistance

Table two lists applications received for the community sporting groups capital works assistance program.

Table Two: Submissions for Community Sporting Groups

Ref	Organisation name	Description/Project	Request \$	Approved \$
1	Ballina Junior Rugby League Football Club	Construct concrete slab for shade awning	10,000	10,000
2	Ballina Bin Chooks Water Polo Club	Construct equipment storage shed at Ballina Pool	10,000	10,000
3	Ballina Allstars Athletics Club	Construct additional shot put and discus throwing facilities and a cage	10,000	10,000
4	Wardell District Tennis Club	Replace four existing court lights with LED lighting	5,600	0
TOTAL			35,600	30,000

The Ballina Junior Rugby League Football Club (ref 1) is eligible, with detailed project plans and long-term vision. Further consultation with Council operations regarding underground services, planning consent, and approval pathways will be required. The donation is contingent on relevant approvals/consent being obtained.

The Ballina Bin Chooks Water Polo Club (ref 2) to construct a storage shed at the rear of the plant room is supported, in principle, by the Ballina Memorial Swimming Pool contractor. Donation is contingent on relevant approvals/consent being obtained.

The Ballina Allstars Athletics Club (ref 3) requires quotes from licensed contractors, and clarification who is to complete the works.

Plans for the proposed structures are required before landowner and planning consent can be confirmed. The donation is contingent on relevant approvals/consent being obtained.

The Wardell District Tennis Club (ref 4) application is eligible; however, since it was received, Council has replaced the existing lights with LED.

Further investigation into the lighting infrastructure is required before determining funding or seeking external sporting grant opportunities to replace the poles.

Delivery Program Strategy / Operational Plan Activity

The provision of donations to community groups and sporting groups contributes to Delivery Program Strategies:

- CC2.1 Encourage volunteering, events, and activities that promote social connections and wellbeing
- CC2.3 Support and promote our cultures and heritage
- CC3.3 Support improved health and wellbeing outcomes through the provision of sporting, recreational and community facilities

Community Engagement Strategy

The donations program was promoted in Council's Community Connect, eNews and social media. Community groups were also emailed.

Financial / Risk Considerations

Council has allocated funds in the 2025/26 financial year of \$84,000 for Financial Assistance for Community Groups and \$34,000 for Community Sporting Groups Capital Works Assistance.

Options

The options are to support, not support or amend the recommendations from the donations working party meeting.

RECOMMENDATIONS

1. That Council confirms the Donations – Financial Assistance for Community Groups for 2025/26, as outlined in Table One, pursuant to Section 356 of the Local Government Act.
2. That Council confirms the Donations – Community Sporting Groups Capital Works Assistance Program for 2025/26, as outlined in Table Two, pursuant to Section 356 of the Local Government Act.

Attachment(s)

Nil

9.6 Policy (Review) - Naming of Council Owned Facilities Policy

Section Governance

Objective To review the Naming of Council Owned Facilities Policy.

Background

All 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 Naming of Council Owned Facilities policy.

Council first adopted this policy on 27 September 2012.

The policy establishes the criteria which Council will have regard to in considering proposals for the naming of Council owned facilities in recognition or commemoration of individual persons.

Key Issues

- Equitable and transparent process for naming of community facilities
- Whether the policy meets the requirements of Council and current legislation

Discussion

The policy is drafted to convey a sentiment that naming of facilities after individuals should only be done in special and compelling circumstances.

This is consistent with the approach applied by the Geographical Names Board NSW (GNB NSW).

The review of this policy identified only minor changes relating to updating references to outdated policies and documentation.

New words are highlighted in yellow and deletions are marked in red strikethrough.

The policy indicates that names of persons should only be used posthumously.

The current Place Naming Policy of GNB NSW does not support naming a place after a living person.

The GNB NSW Place Naming Policy notes that there have been instances where a commemorated person has later proven to be of poor character or otherwise considered to be unworthy of the commemoration.

For this reason, if Council exercises the discretion to name a facility after a living person, it should do so with caution, as it comes with some risk.

9.6 Policy (Review) - Naming of Council Owned Facilities Policy

Otherwise, the policy is still considered to be 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.

Delivery Program Strategy / Operational Plan Activity

The review of this policy broadly aligns with Community Strategic Plan outcome - EL1.1 Involve our community in the planning and decision-making processes of Council.

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

Nil.

Options

Council may accept or amend the proposed changes to the policy.

The changes included are largely housekeeping and it is recommended that the policy be adopted as presented.

It is also recommended that if no submissions are received from the exhibition process, the policy be adopted with no further action is required.

RECOMMENDATIONS

1. That Council adopts the amended Naming of Council Owned Facilities 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) - Naming of Council Owned Facilities [⇒](#)

9.7 Tender - Plant Hire (Wet And Dry)

9.7 Tender - Plant Hire (Wet And Dry)

Section Engineering Works

Objective To report the outcomes of the tender evaluation for the Tender - Plant Hire (Wet And Dry)

Background

The works to be undertaken under this contract are Plant Hire Services (Wet and Dry hire).

At the close of tenders 39 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

Sixty-one companies downloaded the documentation with tenders received from:

- Ag Earth Civil
- All Above Earth Landscaping Pty Ltd
- Aqua-Assets Pty Limited
- Bareibunn Engineering
- Bauer Cranes
- Big Tree Care
- Boundary Creek Machinery
- Brian.R.Maloney Earthworks & Land Preparation
- Brooks Hire Service Pty Ltd
- Civlease Pty Ltd
- Cleanaway Industrial Solutions Pty Ltd
- Coates Hire Operations Pty Limited
- Codies Cartage Pty Ltd
- Conplant Pty Ltd
- Dan Leigh Excavations
- Dynamic Hydro Excavations
- Earthworks
- Field Directional Drilling
- Hazell Bros
- Kennards Hire Pty Limited
- KS Plant Hire Pty Ltd
- Master Hire
- Mick Foster Haulage
- MJ Smith Ground Preparation Pty Ltd
- Morgans Earthworks
- Power Pumping

9.7 Tender - Plant Hire (Wet And Dry)

- QUEST Infrastructure
- Richmond Sand & Gravel Landscaping
- Rix Civil
- Rollers Australia Pty Ltd
- RT Baker Haulage Pty Ltd
- Sherrin Rentals Pty Ltd
- Smith Plant Hire (NSW) Pty Ltd
- Solo Resource Recovery
- Stabilised Pavements of Australia
- Steven Clarke Sole Trader
- Tymmos Tippers
- Universal Cranes
- WR & WR Assets

The tender submissions were assessed to ensure conformance with the conditions of tender and the mandatory criteria, being:

- Insurance
- Work Health and Safety
- Required registrations or accreditations

Thirty-one tender submissions met the mandatory assessment and were assessed using the following weighted assessment criteria:

- | | |
|--------------------------------------|-----|
| • Pricing structure | 60% |
| • Capability and Relevant Experience | 25% |
| • Local and community | 15% |

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) Regulation 2021.

Financial / Risk Considerations

The engagement of contractors under this tender is costed against program budgets.

9.7 Tender - Plant Hire (Wet And Dry)

Using a mixture of tendered rates and quoted works provides 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 \$2.85m on this contract. The contractors have specialist plant that compliments or adds to Council's existing fleet, 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.

Based on the tender evaluation, it is recommended that Council accept the tenders for the specified items of plant from Aqua-Assets Pty Ltd, Big Tree Care, Boundary Creek Machinery, Coates Hire Operations Pty Ltd, Codies Cartage Pty Ltd, Dynamic Hydro Excavations, Earthworks Civil Landscaping, Field Directional Drilling, Hazell Bros Plant Hire, Kennards Hire Pty Limited, Mick Foster Haulage, Morgans Earthworks, Power Pumping, Richmond Sand & Gravel, Steven Clarke, Summerland Environmental, Tymmos Tippers, Universal Cranes, WR & WR Assets.

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 Aqua-Assets Pty Ltd, Big Tree Care, Boundary Creek Machinery, Coates Hire Operations Pty Ltd, Codies Cartage Pty Ltd, Dynamic Hydro Excavations, Earthworks Civil Landscaping, Field Directional Drilling, Hazell Bros Plant Hire, Kennards Hire Pty Limited, Mick Foster Haulage, Morgans Earthworks, Power Pumping, Richmond Sand & Gravel, Steven Clarke, Summerland Environmental, Tymmos Tippers, Universal Cranes, WR & WR Assets for the Tender - Plant Hire (Wet and Dry) for the specified items of plant.
2. That Council authorises the General Manager to sign the contract documents.

Attachment(s)

1. Confidential Memorandum - Tender Report - Plant Hire (Wet/Dry) (Confidential)

9.8 Tender - Laboratory Testing Services

9.8 Tender - Laboratory Testing Services

Section Water and Wastewater

Objective To report the outcomes of the tender evaluation for the Tender - Laboratory Testing Services

Background

The works to be undertaken under this contract are Laboratory Testing Services.

At the close of tenders, three 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

Eleven companies downloaded the documentation with tenders received from:

- Tweed Shire Council
- Australian Laboratory Services Pty Ltd
- Southern Cross University

The tender submissions were assessed to ensure conformance with the conditions of tender and the mandatory criteria, being:

- Insurance
- Work Health and Safety
- Required registrations or accreditations

All tender submissions met the mandatory assessment and were assessed using the following weighted assessment criteria:

- | | |
|-----------------------|-----|
| • Pricing structure | 55% |
| • Local and community | 15% |
| • Service capability | 30% |

All three tenderers have been assessed as preferred tenderers based on the evaluation. Details of the assessment and pricing evaluations have been provided to Councillors by a confidential memorandum.

Delivery Program Strategy / Operational Plan Activity

Laboratory services will be procured as part of delivering aspects of 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

Purchases under this tender are costed against operational budgets.

Using a mixture of tendered rates and quoted works provides flexibility in respect to maintaining an efficient procurement process and ensuring the 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.

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 tenders from Tweed Shire Council, Australian Laboratory Services Pty Ltd, and Southern Cross University.

RECOMMENDATIONS

1. That Council in accordance with the Local Government (General) Regulation 2021 Section 178(1)(a), accepts the tenders and awards the contract to Tweed Shire Council, Australian Laboratory Services Pty Ltd, and Southern Cross University for the Tender - Laboratory Testing Services for the rates tendered.
2. That Council authorises the General Manager to sign the contract documents.

Attachment(s)

1. Confidential Memorandum - Tender Report - Laboratory Testing Services (Confidential)

9.9 Tender - Ballina SES Facilities - Construction

Section Project Management Office

Objective To report the outcomes of the tender evaluation for the Tender - Ballina SES Facilities - Construction

Background

The works to be undertaken under this contract are the Construction of the Ballina SES Facilities.

At the close of tenders, five 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

Two-hundred and fifty-nine companies downloaded the documentation with tenders received from:

- Alder Constructions Pty Ltd
- Blaze Projects
- CBHG Building Pty Ltd
- Structen
- Total Construction Pty. Limited

The tender submissions were assessed to ensure conformance with the conditions of tender and the mandatory criteria, being:

- Insurance
- Work Health and Safety
- Required registrations or accreditations

All tender submissions met the mandatory assessment and were assessed using the following weighted assessment criteria:

- | | |
|-----------------------------|-----|
| • Pricing structure | 60% |
| • Capability and Experience | 25% |
| • Local and community | 15% |

Blaze Projects has been assessed as the preferred tenderer based on the evaluation.

Details of the assessment and pricing options have been provided to Councillors by a confidential memorandum.

Delivery Program Strategy / Operational Plan Activity

The project supports the Delivery Program Strategies CC1.2 – Ensure plans are in place for public health events, natural disasters and environmental changes, CC2.1 Encourage volunteering, events and activities that promote social connections and well-being and HE3.3 match infrastructure with development.

Community Engagement Strategy

Council has undertaken a public tender process in accordance with the Local Government (General) 2021.

Financial / Risk Considerations

The total cost of the preferred tender is \$4,588,160.64, excluding GST.

In addition to the construction contract, other works associated with the project include electrical, water infrastructure, surveying, compensatory planting and contingencies.

Council has allocated a total of \$7.1m in funding to deliver the facility, as per the following summary.

Year	Amount (\$)	Comment
2023/24	220,500	Expended
2024/25 -	180,000	Budget with \$160,500 expended
2025/26	2,700,000	Budget
2026/27	4,000,000	Budget

The 2023/24 and 2024/25 figures are funded from an earlier grant of \$400,000 from the State Government.

The 2025/26 funding is sourced from a new \$1.7m grant from the State Government and the balance from Council's Community Infrastructure Reserve.

The 2026/27 funding is sourced entirely from Council's Community Infrastructure Reserve.

A large part of the \$4m allocated in 2026/27, will now need to be brought forward to 2025/26, due to an earlier than forecast construction timeframe, with the builder estimating that construction will take approximately 12 months to complete.

The Community Infrastructure Reserve is forecast to have a closing balance of \$3.995m, as at 30 June 2026, which means there are sufficient funds in that reserve to fund a higher level of forecast expenditure in 2025/26.

Environmental Planning Assessment

To construct the new headquarters, forty trees will need to be removed. These trees are a mix of sizes and species, including Melaleuca, Eucalyptus and Fig Trees.

9.9 Tender - Ballina SES Facilities - Construction

Given the trees proposed for removal are registered as Significant Trees on Council's Tree Register, public notice of these clearing works has been given via letter dropping adjacent landholders, placing tree removal notices on the trees and notification on our website.

These notices invite submissions up until 18 July 2025.

In accordance with Council's Compensatory Offset Policy, the trees being cleared will be offset with two hundred trees to be planted in the parklands along Bangalow Road, between the SES building and Kerr Street.

The location of the offset planting is illustrated by the red hatch areas in the following image.



The environmental planning approval pathway for this building is under Part 5 of the *Environmental Planning and Assessment Act*.

Under this pathway, the impacts of the proposed works are assessed by the preparation of a Review of Environmental Factors (REF).

The REF is the document that has determined the mitigation proposed for the tree removal, plus all the other relevant environmental planning matters.

The REF can be approved under the General Manager's delegation.

The public notice is expected to generate a level of response from the community.

Having regard to previous decisions of Council regarding the site selection for this project, it is proposed for the REF approval to be managed under delegation.

Responses will be sent to those who make a submission to the public notice of the tree removal.

9.9 Tender - Ballina SES Facilities - Construction

It is an option for the elected Council to consider the approval, amendment or refusal of the REF. This process would involve Council receiving a report explaining the content of the REF, and an assessment of any submissions.

It is essential that planning approval is confirmed before the award of a construction contract.

If it is the preference of Council to assess the REF, the recommendation to this report should be deferred until the planning approval process is finalised.

Awarding a contract at this meeting complies with the timeframes, within the grant agreement with the NSW SES, which required Council to go to tender by 30 June 2025. If there is a delay needed for the preparation of a report for the REF, we would need to advise the NSW SES and seek approval for the delay.

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 Blaze Projects.

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 Blaze Projects for the Tender - Ballina SES Facilities - Construction for the total amount of \$4,588,160.64 (excluding GST).
2. That Council authorises the General Manager to sign the contract documents.
3. That the Council funding for this project be amended to reflect the higher than anticipated level of expenditure to be incurred during 2025/26, with that additional funding sourced from the Community Infrastructure Reserve.

Attachment(s)

1. Confidential Memorandum - Tender Report - Ballina SES Facilities - Construction (Confidential)

9.10 Tender - Sewer Pump Station Switchboard Renewals

9.10 Tender - Sewer Pump Station Switchboard Renewals

Section Engineering Works

Objective To report the outcomes of the tender evaluation for the Tender - Sewer Pump Station Switchboard Renewals

Background

The works to be undertaken under this contract are Sewer Pump Station Switchboard Renewals.

At the close of tenders, four 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

Fourteen companies downloaded the documentation with tenders received from:

- Binney Electrical Pty Ltd
- Pensar Utilities Pty Limited
- Rob Ward Electrical Services Pty Ltd
- Thearle Electrical

The tender submissions were assessed to ensure conformance with the conditions of tender and the mandatory criteria, being:

- Insurance
- Work Health and Safety Management Systems accredited to ISO 45001
- Environmental Management Systems accredited to ISO 14001
- Quality Management Systems accredited to ISO 9001

All tender submissions met the mandatory insurance criteria required but only one possessed WHS, Environmental Management and/or Quality Management accreditation certification.

The remaining three though submitted details of management systems developed and maintained in accordance with the above ISO management systems, and or NECA-accreditation.

Based on this, all submissions were still assessed using the following weighted assessment criteria:

- Pricing Structure 60%

9.10 Tender - Sewer Pump Station Switchboard Renewals

- Relevant experience and capability 15%
- Delivery Methodology and Program 10%
- Local and Community 15%

Details of the assessment and pricing options have been provided to Councillors by a confidential memorandum.

Delivery Program Strategy / Operational Plan Activity

This project is included in Council's current Delivery Program and Operational Plan.

The project supports the Delivery Program Strategies - HE3.3 match infrastructure with development, HE1.2 Undertake initiatives that improve our waterways, and HE2.1 Implement total water cycle management practices.

Community Engagement Strategy

Council has undertaken a public tender process in accordance with the Local Government (General) 2021.

Financial / Risk Considerations

The allocated budget to the project is currently \$960,000.

The sole conforming tender was for \$997,416 excluding GST.

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 declines to accept any tenders.

Sections 178(3) and (4) of the regulations provide direction in the circumstances where a Council declines to accept any tenders in accordance with section 178(1)(b); i.e.

(3) A council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:

(a) postpone or cancel the proposal for the contract,

9.10 Tender - Sewer Pump Station Switchboard Renewals

- (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,*
 - (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,*
 - (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,*
 - (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,*
 - (f) carry out the requirements of the proposed contract itself.*
- (4) If a council resolves to enter into negotiations as referred to in subclause 3 (e), the resolution must state the following:*
- (a) the council's reasons for declining to invite fresh tenders or applications as referred to in subclause (3) (b)–(d),*
 - (b) the council's reasons for determining to enter into negotiations with the person or persons referred to in subclause (3) (e).*

This approach will enable staff, prior to the issue of a letter of award, to resolve any outstanding points in the contract, review the final scope of works with a preferred contractor, and limit the overall change required to the adopted budget.

RECOMMENDATIONS

1. That Council in accordance with the Local Government (General) Regulation 2021 Section 178(1)(b), declines to accept any tenders for the Tender - Sewer Pump Station Switchboard Renewals as Council does not consider any of the submissions suitable to recommend for award because of the amount of non-conforming tender submissions which could offer value for money
2. That Council, in accordance with Local Government (General) Regulation 2021 Section 178(3)(e) authorises the General Manager to enter into negotiations with Binney Electrical Pty Ltd, Pensar Utilities Pty Ltd, Rob Ward Electrical Services Pty Ltd, Thearle Electrical with a view to enter into a contract for the Tender - Sewer Pump Station Switchboard Renewals .
3. That in accordance with the Local Government (General) Regulation 2021 Section 178(4)(a) the reason Council has declined to invite fresh tenders is that the tender process has established sufficient market interest, and it is more efficient and timelier to negotiate with interested parties than call for new submissions.
4. That in accordance with the Local Government (General) Regulation 2021 Section 178(4)(b), Council has determined to negotiate with Binney Electrical Pty Ltd, Pensar Utilities Pty Ltd, Rob Ward Electrical Services

9.10 Tender - Sewer Pump Station Switchboard Renewals

Pty Ltd, Thearle Electrical with a view to entering a contract in relation to the subject matter as they are the preferred tenderers following assessment against the mandatory and weighted evaluation criteria established for the tender.

Attachment(s)

1. Confidential Memorandum - Tender Report - Sewer Pump Station - Switchboard Renewals (Confidential)

9.11 Debt Recovery - Water Charges

9.11 Debt Recovery - Water Charges

Section

Financial Services

Objective

To provide an overview of the confidential debt recovery report later in this agenda and seek Council direction on a debt recovery matter relating to water charges

Background

Council staff have exhausted options in relation to a property owner who has incurred significant water charges that are now overdue. Specific information relating to the matter is in a confidential report in this meeting agenda.

Key Issues

- Debt recovery options

Discussion

Since 2023, water meter reads have shown water usage significantly higher than an average residential home, and no payments have been made to the water account since that time.

Council staff have used a significant number of resources to assist the property owner and have exhausted avenues to come to a payment arrangement.

Community Engagement Strategy

The matter relates to a property owner and is in confidence.

Financial / Risk Considerations

The debt recovery may result in forgone income to Council.

Options

This report is provided for general information only. Detailed information is contained in a confidential report later in this agenda.

RECOMMENDATION

That Council notes the contents of this report in respect to the debt recovery matter included as a confidential report in this meeting agenda.

Attachment(s)

Nil

9.12 Russellton Industrial Estate - Status and Potential Sale

Section Commercial Services

Objective To provide Council with an update on progress of Russellton Industrial Estate.

Background

This matter was last reported to Council at the Commercial Services meeting on 2 December 2024 where the recommendation from that meeting was resolved at the 12 December 2024 Ordinary meeting, as follows:

1. *That Council the authorises the sale of Lots 1 to 13, 14, 16 and 19 to 26 in the proposed plan of subdivision for Lot 21 DP 1252162, as per Attachment 2 to this report, at the Russellton Industrial Estate, by public auction and authorises the General Manager to set price reserves based on market conditions and the high level of demand for industrial land.*
2. *That Council authorises the General Manager to enter into open or general agency agreements with local real estate agents who wish to participate in the auction campaign.*
3. *That the agents' commission be set at 1.5% of the sale price.*
4. *The General Manager is authorised to execute all necessary sale documents and affix the Council seal to same.*

Since that resolution the construction works have been completed and a plan has been prepared for registration of Lots 5 to 13, 16 and 19 to 26 in the proposed plan of subdivision of Lot 21 DP 1252162.

The purpose of this report is to provide Council with an update on the project.

Key Issues

- Status of development works
- Timeframe for plan registration and auction

Discussion

Civil construction works have been completed and the contractor has vacated the site.

Lots 1, 2, 3, 4, 14 and 15 (six lots) have been held back from registration pending resolution of outstanding development consent issues.

A plan of subdivision has been prepared for Lots 5 to 13, 16 and 19 to 26.

It is anticipated that registration should occur by October 2025, with a public auction of the lots to follow in November 2025. Lot numbers in the plan of proposed subdivision have changed.

9.12 Russellton Industrial Estate - Status and Potential Sale

Planning approval is also sought for the creation of a separate title for the Reservoir Lot, to enable the agreed to sale to Rous County Council to proceed.

In addition to this, an adjoining owner has submitted a proposal to buy a lot prior to the proposed auction.

This proposal is included in a confidential report later in this agenda.

Delivery Program Strategy / Operational Plan Activity

PE3.1 – Facilitate commercially viable industrial precincts

PE3.1a - Progress availability of land at the Russellton Industrial Estate

Community Engagement Strategy

Public auction is the preferred method of sale, unless there are mitigating circumstances.

The confidential report later in this agenda outlines the merits of selling one of the lots prior to auction, by direct negotiation.

Financial / Risk Considerations

The feasibility assessment for the project included in the 2 December 2024 Commercial Services meeting agenda has been updated, as per the following summary.

Feasibility Assessment Summary (\$)

Details	December 2024	June 2025
Estimated Gross Sale Proceeds (27 lots)	20,004,000	20,004,000
Less: Marketing, Agent Commissions and Selling Expenses	347,000	347,000
Net Sale Proceeds	19,657,000	19,657,000
Less: Development Costs and Council Contributions (incl. estimates to complete works)	7,115,000	7,005,000 ¹
Sub Total	12,542,000	12,652,000
Less: Estimated Interest on Borrowings	300,000	387,000
Forecast Net Cash Surplus	12,242,000	12,265,000

1. The figure of \$7,005,000 includes an allowance of \$275,000 to undertake construction works outside the scope of project.

Estimated selling prices for the completed lots have not been increased since the December 2024 price estimates.

The figures are based on dollar per square metre rates ranging from \$242/m² to \$484/m² (excl. GST) depending upon size, topography, and configuration.

The feasibility assessment indicates the project may generate an estimated surplus of approximately \$5.265m, after repayment of all costs including a \$7m construction loan.

Options

This report has been prepared for information purposes only.

A confidential report included in this meeting agenda deals with a proposal to purchase a lot on the estate prior to auction.

RECOMMENDATION

That Council notes the contents of this report regarding the status of the Russellton Industrial Estate, along with providing notice of the confidential report in this meeting agenda, in respect to the possible sale of one the lots.

Attachment(s)

Nil

9.13 Delivery Program and Operational Plan - 30 June 2025 Review

Section Governance

Objective To provide the final quarterly review on the implementation of the 2024/25 to 2027/28 Delivery Program and 2024/25 Operational Plan.

Background

Section 406 (1) of the Local Government Act states as follows:

406 Integrated planning and reporting guidelines

*The regulations may make provision for or with respect to integrated planning and reporting guidelines (referred to in this Chapter as **the guidelines**) to be complied with by councils.*

The Office of Local Government issues “guidelines” in respect to how councils must comply with the integrated planning and reporting framework. The guidelines have evolved over the years, with the last publication, dated September 2021, available as per the following link:

[IPR - Guidelines \(nsw.gov.au\)](https://www.nsw.gov.au/ipr-guidelines)

Clause 4.9 (page 20) of the guidelines states as follows:

Monitoring the Delivery Program

4.9 The general manager must ensure that progress reports are provided to the council, with respect to the principal activities detailed in the Delivery Program, at least every 6 months.

Even though six-monthly reports are required, the preferred approach is to provide quarterly reports to ensure the information is timely.

This report represents the fourth and final quarterly review of the implementation of the 2024/25 to 2027/28 Delivery Program and 2024/25 Operational Plan, with the information based on the complete 2024/25 financial year. The review is included as Attachment 1 to this report.

The attachment provides an overview of all the actions and indicators included in the Delivery Program and Operational Plan (DPOP), with comments provided by the Director.

The DPOP is available on Council’s website and is also accessible on the Councillor hub. The actions and indicators in the DPOP reflect the adopted priorities for Council.

Key Issues

- Outcomes and trends.

Discussion

The DPOP is the corporate document that outlines Council's goals and priorities, with a four-year forecast for the Delivery Program and a one-year action list for the Operational Plan.

Attachment 1 provides an update on all the adopted actions and indicators in the DPOP. The attachment has two main sections:

- Program Actions – Outlines the status of all the adopted actions in the Operational Plan.

The actions represent tasks and projects identified as priorities by Council.

- Service Delivery Indicators – Measures actual results as compared to the adopted indicators in the Operational Plan.

The indicators represent a level of activity, or performance, across a wide range of service areas, some of which are under Council's control and others that reflect economic or industry trends.

All items are marked with a green (on track for this financial year) amber (behind schedule with action continuing or trending below target / benchmark) or red (off track) traffic light.

There are 99 Program Actions listed in Attachment 1 and the following two tables provide an overview of the status of the actions on a number and percentage basis.

Program Actions Summary - By Division and Number (#)

Division / Status	C&C	Civil	PEH	Total
Green	19	24	45	88
Amber	1	3	5	9
Red	0	0	2	2
Total	20	27	52	99

Program Actions Summary - By Division and Percentage (%)

Division / Status	C&C	Civil	PEH	Total
Green	95	89	87	89
Amber	5	11	10	9
Red	0	0	3	2
Total	100	100	100	100

Items of note in the attachment include:

- Progress availability of land at the Southern Cross Industrial Estate (page 2) – Successful auction held 30 April 2025.
- Progress development of Lennox Head Residential Land Holding (page 2) – Consultant engaged to undertake this analysis for Council, and briefing held with Councillors.

9.13 Delivery Program and Operational Plan - 30 June 2025 Review

- Complete review of Community Strategic Plan (page 2) – Following an extensive consultation process, Council adopted the draft Community Strategic Plan.
- Minimise the volume of unaccounted water (page 14) – The latest percentage loss figure is 9.2%, which represents an ongoing decrease, supporting Council's water loss management program.
- Undertake review of the Development Assessment Service (page 15) – Review completed, Councillor briefing held and actions being implemented.
- Implement Healthy Waterways Strategy (page 18) – Large number of projects completed, or underway.
- Prepare Management Plans (page 20) – Hampton Park Management Plan and Bicentennial Park Management Plan adopted.

In respect to Service Delivery, there are a total of 92 indicators identified in the Operational Plan.

The following two tables provide an overview of how the indicators are tracking against the benchmark, again on a number and percentage basis.

Service Indicators Summary - By Division and Number (#)

Division / Status	C&C	Civil	PEH	Total
Green	27	15	15	57
Amber	15	6	6	27
Red	2	1	5	8
Total	44	22	26	92

Service Delivery Indicators Summary - By Percentage (%)

Division / Status	C&C	Civil	PEH	Total
Green	61	68	58	62
Amber	34	27	23	29
Red	5	5	19	9
Total	100	100	100	100

The primary purpose of each indicator is to provide a guide, as to how a service may be tracking compared to previous years, or against a preferred benchmark, with some indicators beyond the control of Council.

Items of note include:

- Airport – (page 25) – Generally tracking in line with recent year's figures with some loss of passenger numbers due to the closure of the Airport during Tropical Cyclone Alfred.
- Community Facilities (pages 26-29) – Usage of the community facilities is trending upwards, particularly the Ballina Indoor Sports Centre.

The swimming pools are now requiring a lot more maintenance, resulting in increased operating expenses.

Events such as Tropical Cyclone Alfred and flooding, impact negatively on a range of community facilities, including the visitor information centre, libraries and the gallery due to closures, or the poor weather restricting access.

- Number of visits to Council website (page 28) – Conversely to the downturn in visits to community facilities, major weather events result in increased online traffic, with Council website visits tracking much higher than the target.
- Development Services (page 37) – These figures are still behind the preferred benchmarks, with some figures trending positively.
- Number of Events and Filming Approvals (page 38) – The frequency of activities has continued to increase during the past 12 months.

Delivery Program Strategy / Operational Plan Activity

This report provides a status report on all the adopted activities in the 2024/25 Operational Plan and 2024/25 to 2027/28 Delivery Program.

Community Engagement Strategy

This report provides the community with information on how Council is performing in respect to the Delivery Program and Operational Plan.

Financial / Risk Considerations

The Delivery Program and Operational Plan identify the allocation of Council's resources and finances.

Options

The report is for noting the implementation of the Delivery Program and Operational Plan. with the information highlighting the many activities undertaken by Council.

RECOMMENDATION

That Council notes the contents of this report regarding the implementation of the 2024/25 to 2027/28 Delivery Program and 2024/25 Operational Plan.

Attachment(s)

1. Delivery Program and Operational Plan - 30 June 2025 Review [⇒](#)

9.14 Capital Expenditure - 30 June 2025 Review

Section Governance

Objective To provide the final review on the implementation of the 2024/25 capital works program.

Background

Council has a significant capital expenditure program included in the annual Operational Plan. Due to the magnitude of the program, status reports on the capital projects are provided on a quarterly basis. The status report provides details on key milestones, along with a comparison between budget and actual expenditure. This is the fourth and final report for 2024/25, and outlines work undertaken for the 2024/25 financial year.

Key Issues

- Status of works

Discussion

To assist in understanding the delivery of the capital expenditure program, the attachments to this report provide information on the following items:

- Total Project Value – As projects can be delivered over more than one year, this column provides the total project value. This may include expenditure from previous years or estimated expenditure for future years
- Original 2024/25 Estimate - Represents the original 2024/25 estimate, as per the adopted Operational Plan
- Carry Forwards - Includes budgets carried forward from the previous financial year, approved at the August 2024 Ordinary meeting
- Approved Variations – Includes variations approved by Council, through a Quarterly Budget Review, or a separate report on a project
- 2024/25 Estimate - Sum of the original estimate plus carry forwards and variations
- Expended This Year - Expenditure to 30 June 2025 on a cash basis. This figure excludes commitments and accruals
- % Expended - Percentage of budget expended to 30 June 2025 based on the cash expended figures
- Milestone Dates - Major dates, such as completion of design and / or planning approval, as well as construction commencement and completion.
- Status – Provides space for any additional comments.

The attachments are split into the areas undertaking the works: i.e., Planning and Environmental Health Division (Open Spaces, Public and Environmental Health, Strategic Planning), Corporate and Community Division (Commercial Services, Facilities Management, Tourism) and the Civil Services Division (Emergency Services, NEWLOG, Resource Recovery, Water, Wastewater and Engineering Works).

Points of interest in the attachments are as follows.

Open Spaces (Attachment 1)

Ocean Breeze Reserve, Lennox Head – After a lengthy delay, this park is now operational.

Ballina Pump Track – Works commenced in April 2025 and are now well advanced.

Various playgrounds and improvements completed at John Kearney Park, Commemoration Park, Chickiba Park and Kingsford Smith Reserve.

Public and Environmental Health (Attachment 1)

Lake Ainsworth Coastal Management Plan improvements completed.

Commercial Services (Attachment 2)

Russellton Industrial Estate construction works complete with Council developer contributions still to be paid.

Facilities Management (Attachment 2)

Depot Administration Building - This project on schedule with construction complete and the building should be operational in August 2025.

Emergency Services, NEWLOG and Resource Recovery (Attachment 3)

Ballina SES Building – Tenders closed and reported to 24 July 2025 Ordinary meeting.

Water and Wastewater Operations (Attachments 4 and 5)

\$18m expended, out of a total budget of \$21.6m, including close to \$6m on the Ballina Wastewater Treatment Plant rectification works.

Engineering Works (Attachment 6)

Several projects complete, with the new Lennox Head Roundabout (Byron Street / Byron Bay Road) now operational.

The Essential Public Asset Repair (EPAR) Projects, which are funded by flood damage grants, are absorbing a significant amount of time and resources due to the need to have these projects completed by set dates.

Delivery Program Strategy / Operational Plan Activity

The Operational Plan includes the entire capital works program and references infrastructure delivery through Operational Plan Activity:

EL3.3h - Monitor capital works to ensure they are completed on time and within budget

Community Engagement Strategy

Many of the projects reflect feedback from community engagements.

Financial / Risk Considerations

All the projects carry a degree of risk, financial and management.

Options

Cash expenditure to 30 June 2025 is approximately \$53m on a cash basis, out of a budget of \$67m, as per the following summary, which is a reasonable result considering lengthy periods of wet weather and Tropical Cyclone Alfred.

Capital Works Summary by Section and Division - 30 June 2025

Section Results	Budget (\$)	Expended (\$)	% Expended
Open Spaces	5,750,000	4,702,500	82%
Public and Env Heath	1,255,000	1,229,200	98%
Strategic Planning	18,000	17,600	98%
Commercial Services	6,108,000	3,690,100	60%
Facilities Management	7,005,000	6,588,000	94%
Tourism	128,000	93,600	73%
Emergency Services	673,000	556,300	83%
Resource Recovery	700,000	403,000	58%
Water Operations	6,223,000	5,819,100	94%
Wastewater Operations	15,443,000	12,125,800	79%
Engineering Works	23,366,000	17,508,000	75%
Total	66,669,000	52,733,200	79%
Division Results			
Planning and Environmental Health	7,023,000	5,949,300	85%
Civil Services	46,405,000	36,412,200	78%
Corporate and Community	13,241,000	10,371,700	78%
Total	66,669,000	52,733,200	79%

The cash figures applied in this report do not reflect the contracts underway, where there is accrued expenditure incurred by the contractor.

RECOMMENDATION

That Council notes the contents of this report on the implementation of the capital expenditure program for 2024/25.

Attachment(s)

1. Capital Expenditure - 30 June 2025 - Division - Planning and Environmental Health [⇒](#)
2. Capital Expenditure - 30 June 2025 - Division - Corporate and Community [⇒](#)
3. Capital Expenditure - 30 June 2025 - Division - Civil Services - Emergency Services, NEWLOG and Resource Recovery [⇒](#)
4. Capital Expenditure - 30 June 2025 - Division - Civil Services - Water Operations [⇒](#)
5. Capital Expenditure - 30 June 2025 - Division - Civil Services - Wastewater Operations [⇒](#)
6. Capital Expenditure - 30 June 2025 - Division - Civil Services - Engineering Works [⇒](#)

9.15 General Manager - Performance Review

9.15 General Manager - Performance Review

Section Governance

Objective To provide an overview of the process followed for the General Manager's annual performance review

Background

The General Manager's Performance Review Committee (PRC) currently comprises of the Mayor, Deputy Mayor and a Councillor selected by the General Manager, as resolved at the 24 October 2024 Ordinary meeting. The PRC met with the General Manager on 14 July 2025 to perform the twelve-monthly performance review for the 2024/25 financial year.

This report confirms that a confidential report has been included later in this agenda in respect to this review.

Key Issues

- Compliance with the General Manager's contract conditions

Discussion

Council is legally obliged to fulfil its contractual obligations with the General Manager. This includes a 12 monthly appraisal.

The Council and / or General Manager have the option of using an external consultant to assist. A consultant from Local Government NSW assisted with this review, which is consistent with reviews held during the last term of Council.

The review process results in a recommendation from the PRC to the Council meeting, with all Councillors then having an opportunity to provide feedback, or amend the review, as presented in the confidential report. The performance review report is listed as confidential as it involves personnel matters.

Options

This report is for noting with the confidential report providing the review.

RECOMMENDATION

That Council notes the contents of this summary report for the confidential report on the General Manager – Performance Review for 2024/25.

Attachment(s)

Nil

10. Civil Services Division Reports

10.1 Private Property - Drainage Works - East Street, Tintenbar

Section	Engineering Works
Objective	To approve private works under Section 67 of the Local Government Act

Background

Council completed road upgrade works at the intersection of Tintenbar Road and Tamarind Drive in 2021 to improve road safety. These works were completed as part of Transport for NSW's Safer Roads Program.

The works involved elements of road widening and stormwater works, which resulted in small alterations in how stormwater was discharged from Council's Road reserve into nearby properties.

Following the completion of the works, the owner of an adjacent property (6 East Street, Tintenbar) has raised concerns with Council regarding increased stormwater flows discharging into their property.

There was an existing 450mm diameter stormwater pipe discharging to the property prior to the works commencing.

As part of project the pipe was reconstructed with the same alignment and diameter but on a slightly shallower grade.

The owner of 6 East Street, Tintenbar claims that there has been an increase in water flowing from this pipe, which has resulted in increased scour and erosion of both the stormwater outlet and their driveway as well as causing persistently waterlogged ground on their property.

The owner is now requesting council undertake action to address this issue.

When undertaking road projects Council aims to ensure designs do not exacerbate stormwater or flooding issues on adjacent properties.

On rural road widening projects, such increases are typically minimal and do not result in identifiable impacts.

The preferred solution to this issue is to undertake some minor works on the owner's property.

To comply with the Local Government Act, Council's approval is required.

Key Issues

- Private property owner potentially impacted by previous Council works

- Works on private property
- Expenditure of public monies for private benefit

Discussion

Council officers have investigated the owner's claim and identified that the completed works have increased the catchment area draining to the pipe outlet by approximately 10%, which has resulted in peak stormwater flows discharging to the property increasing by approximately 7% for the design storm event.

The stormwater pipe which discharges the water was re-laid at the time of construction on a shallower grade, which has reduced the discharge velocity and minimised scour.

It is also recognised that the works occurred immediately preceding an unusually wet period in 2022, which may have resulted in an increased perception that the works have had a detrimental impact on the property.

During a site inspection, scour was observed on the property at the driveway crossing, which is located downstream of the point of discharge from Council's stormwater pipe.

It seems unlikely that the increased flows from Council construction works would be a significant contributor to the erosion, or water issues, occurring on the property, which are occurring to only a limited extent.

Notwithstanding the above, for the avoidance of any doubt, it is reasonable to attend to mitigation because Council has recently undertaken the works immediately adjacent to the property, and this has given rise to concerns by the owner.

To address this issue, Council's engineers have considered several options that could be constructed inside the council road reserve.

The first includes constructing an additional stormwater pipe, which will require vegetation removal and as well obtaining a stormwater easement over private property, a preliminary estimate indicates this option would cost \$95,000.

The second option also involves installing a new stormwater pipe but will also require the installation of approximately 110m of kerb and gutter. These works are estimated to cost \$120,000.

The costs of implementing these options cannot be justified against the small benefit to be obtained by Council, and the property owner.

In discussing this matter with the owner on-site, a third solution was identified which would address the owner's primary concern, being the scour occurring on their driveway.

This solution involves works on private property, including installing additional energy dissipation on the pipe outlet, as well as installing an additional culvert at the downstream driveway culvert to mitigate scour of the driveway.

10.1 Private Property - Drainage Works - East Street, Tintenbar

The cost of these works is relatively minor when compared to the first two options and is estimated to be less than \$5,000 and can be funded by Council's current operational budget.

Should Council proceed with this option to resolve the owner's concerns, the owner will be advised any ongoing maintenance responsibility for the works will be the owner's responsibility.

As these mitigation works will occur partially on private land, in accordance with Section 67(2)(b) of the *Local Government Act 1993*, a Council resolution is required to approve the work.

Sections 67(1) and 67(2) are reproduced as follows.

67 Private works

(1) A council may, by agreement with the owner or occupier of any private land, carry out on the land any kind of work that may lawfully be carried out on the land.

Note--: Examples of the kind of work that a council might carry out under this section include--

- paving and roadmaking*
- kerbing and guttering*
- fencing and ditching*
- tree planting and tree maintenance*
- demolition and excavation*
- land clearing and tree felling*
- water, sewerage and drainage connections*
- gas and electricity connections.*

(2) A council must not carry out work under this section unless—

(a) it proposes to charge an approved fee for carrying out the work as determined by the council in accordance with Division 2 of Part 10 of Chapter 15, or

(b) if it proposes to charge an amount less than the approved fee, the decision to carry out the work is made, and the proposed fee to be charged is determined, by resolution of the council at an open meeting before the work is carried out.

Delivery Program Strategy / Operational Plan Activity

The project contributes to Council's adopted Delivery Program and Operational Plan Strategy - EL3.3 Deliver responsive and efficient services.

Community Engagement Strategy

Council has been in communication with the property owner since the completion of the works.

Financial / Risk Considerations

There is a potential cost to Council if the owner wishes to pursue this matter further. The cost for the proposed works is anticipated to be less than \$5,000.

Options

Option One

Complete the erosion mitigation works which would require works partially on private property.

The costs associated with this option are anticipated to be less than \$5,000.

Option Two

Undertaken works within Council Road reserve to address the owner's concerns. The costs associated with these works are estimated to be greater than \$95,000.

Option Three

Council could adopt a 'do nothing' approach on the basis that the current impacts to the owner are minimal.

Whilst Council officers believe this is most likely the case, it is difficult to confirm as there is an identifiable increase, if small, in stormwater discharging to the property.

If Council elects this option, then there are potential ongoing costs to Council in liaising with the owner if they wish to pursue the matter.

Option One is the recommended option because it is a cost-effective solution.

While it is the case, the impact from the works is at most minimal, to be a 'good neighbour' noting our immediately adjacent construction work has changed the geometry of the road, it is reasonable to agree to the request to complete these works.

RECOMMENDATION

That, in accordance with Section 67(2)(b) of the NSW Local Government Act 1993, Council approves the completion of erosion mitigation works valued at approximately \$5,000 on private land at 6 East Street, Tintenbar, at nil cost to the property owner, as the works will address the risk that concentrated stormwater flows may have arisen from a Council road construction project that is immediately adjacent.

Attachment(s)

Nil

10.2 Flood Warning Infrastructure Network - Transfer of Assets

10.2 Flood Warning Infrastructure Network - Transfer of Assets

Section Engineering Works

Objective To approve the transfer of flood gauge assets to the Bureau of Meteorology

Background

Historically, in NSW, flood gauges have been installed by councils, the State Government and the Bureau of Meteorology ('the Bureau'). The response to the 2022 flood events identified improvements to the connectivity, maintenance and strategic planning for this network, that could be achieved if the flood gauge assets were managed by one authority.

To deliver this outcome, in the 2023/24 budget, the Federal Government committed up to \$236m over 10 years to address 'critical, long-standing risks in Australia's flood warning network' as part of the Flood Warning Infrastructure Network Program ('the FWIN Program').

As part of the FWIN Program, the Federal Government will take ownership of a portion of Australia's flood observation network, with a focus on high priority assets in high priority catchments. The ongoing maintenance and operations costs associated with these flood warning assets will be shared equally by the Federal Government and each State or Territory.

Under the FWIN Program, the Federal Government proposes to acquire one of Council's flood gauges. This proposal is supported, and the purpose of this report is to authorise the asset transfer.

Key Issues

- Improved flood risk mitigation
- Efficient asset management

Discussion

The Bureau has identified three rain gauge stations of interest in the Ballina Shire. These stations are identified as follows.

Rain Gauge Assets

Station Number	Station Name
558069	Houghlahan's Creek
558071	Tuckombil
558072	Alstonville Stp

Under the FWIN Program, the Bureau will progressively acquire the assets they have identified to form the network. At this point, the Bureau has only provided transfer agreement documentation for the Houghlahan's Creek rain gauge. It is uncertain when a request for the other two sites will occur.

10.2 Flood Warning Infrastructure Network - Transfer of Assets

The proposed transfer price under the agreement is \$1 for the Houghlahan's Creek gauge.

These gauges are not recorded in Council's asset register. This means there is no written down value for the assets, or estimate, for their replacement value. The rain gauges are not new assets.

The proposal means Council will no longer be responsible for the maintenance or replacement of the gauges. Including the gauges in the national network will improve the flood information available to authorities.

Delivery Program Strategy / Operational Plan Activity

This is relevant to Strategy CC1.2 – Ensure plans are in place for public health events, natural disasters and environmental challenges.

Community Engagement Strategy

No community consultation has been undertaken in preparing this report.

Financial / Risk Considerations

The proposal will improve flood risk migration for the community, as the assets will become part of one network administered by the Bureau.

Options

Option One - Approve the Transfer - This is the recommended option because the proposal for one central management system for these assets ensures a coordinated and strategic approach to the operation of the network.

Option Two - Decline the Offer - This option is available if Council does not agree to the price, or if Council has concerns about divesting these assets.

RECOMMENDATIONS

1. That Council approves the transfer, to the Federal Government, the ownership of the following rain gauge assets:

Station Number	Station Name
558069	Houghlahan's Creek
558071	Tuckombil
558072	Alstonville Stp

2. The General Manager is authorised to sign the transfer of equipment agreement.
3. That Council notes the equipment transfer fee for station 558069 is \$1 and the timing for the transfer and the transfer fee for stations 558071 and 558072 is subject to future advice from the Bureau of Meteorology.

Attachment(s)

Nil

10.3 Policy (Review) - Water and Wastewater Connections

10.3 Policy (Review) - Water and Wastewater Connections

Section	Water and Wastewater
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Objective	To review the Water and Wastewater Connections Policy
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Background

All 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 Water and Wastewater Connections policy.

Council first adopted the Water Metering policy in 2007. The policy was updated to include Wastewater Connections in 2021.

The policy confirms the eligibility requirements for connection to Council's water and wastewater networks and the framework for managing connections.

Key Issues

- Whether the policy meets the requirements of Council and current legislation
- Removing the procedural content of the existing policy into a separate document of technical standards

Discussion

This policy has been reviewed to align with the standard policy developed for Rous County Council and its constituent councils to promote consistency in the region.

This includes moving procedural related content into stand-alone technical guidelines.

Adopting the approach of using technical guidelines is a more efficient way of managing changes in the future because it avoids the requirements for reporting and public exhibition. This approach is preferred because it will make it easier to maintain the desired consistent application of standards for Rous County Council constituent councils as noted above. Adopting this policy however supports this process by achieving the broader governance objectives provided by the policy adoption and renewal processes.

In addition to the modified structure, the review of the existing policy identified changes as follows:

- Eligibility for connection to a Council water trunk main has been reduced from a proximity of 225 metres to 100 metres distance to the connection point.

10.3 Policy (Review) - Water and Wastewater Connections

- Whilst Council will read and issue bills on all water meters that meet minimum requirements, those that are additional to the boundary water meter will remain private and the responsibility of the property owner.

This is a variation to the standard Rous County Council policy however is consistent with what has historically been done in practice.

Changes to content in the technical guidelines are as follows:

- Secondary dwellings are now permitted to be metered with an 'in-line' subtract meter where previously they required two separate subtract meters.
- Clarification of a 'standard' water connection.
- Location of standard meters changed from '500mm to 1000mm' from the property boundary to '300mm to 500mm'. This change is consistent with what has been done in practice.
- Removing the requirement for smart meter reading for certain properties where the meters are all centrally located on the property boundary.
- Inclusion of diagrams showing various standard water meter arrangements.

A copy of the existing policy and amended policy are attached to the report.

Delivery Program Strategy / Operational Plan Activity

This policy is consistent with Community Strategic Plan outcome, EL2 – Council's finances and assets are well managed.

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

Provision of services and full cost recovery through appropriate water and wastewater fees and charges is achieved through the policy framework.

The maintenance cost of Council's infrastructure is not significantly increased because of the policy.

Changes to this policy have no additional legal, resource or financial implications on Council.

The proposed changes ensure that Council meets its legal obligations relating to water services, fire services, reclaimed water services and wastewater services, and merely clarify and formalise existing practice.

10.3 Policy (Review) - Water and Wastewater Connections

Options

Council may accept or amend the proposed changes to the policy.

The changes included reflect current practice and regional consistency and it is recommended that the policy be adopted as presented.

It is also recommended that if no submissions are received from the exhibition process, no further action is required.

RECOMMENDATIONS

1. That Council adopts the amended Water and Wastewater Connections 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 reported back to Council. If no submissions are received, and no further action is required.

Attachment(s)

1. Policy (Review) - Water and Wastewater Connections [⇒](#)
2. Policy (Current) - Water and Wastewater Connections [⇒](#)
3. Water and Wastewater Connection Standards - July 2025 [⇒](#)

10.4 Ballina Wastewater Treatment Plant - Insurance Claim

10.4 Ballina Wastewater Treatment Plant - Insurance Claim

Section	Water and Wastewater
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Objective	To provide an overview of the insurance claim for the membrane plates at the Ballina Wastewater Treatment Plant
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Background

For several years, Council has been seeking a resolution to an insurance claim made to our insurer, Statewide Property Mutual ('Statewide') in respect of damage to the membrane plates installed at the Ballina Wastewater Treatment Plant ('the WWTP').

Statewide has offered Council a settlement to this claim.

A report is included in the confidential session which provides information regarding the claim and the settlement offer.

The report is included in the confidential section as it contains information relevant to the commercial and legal negotiations with Statewide.

The purpose of the confidential report is for Council to decide whether to accept the settlement offer.

The purpose of this report is record in open Council information that Council is considering a settlement offer for this insurance claim.

Key Issues

- Claim details and settlement

Discussion

An insurance claim was made to Statewide to recover the costs associated with damage to the membranes in the WWTP.

Statewide's broker denied Council's initial claim. Legal advice was obtained to assess the validity of the reasons offered by Statewide and its broker to deny the claim, and based on this advice, Council advised Statewide of our intention to dispute their assessment of the claim.

Statewide is a mutual, meaning Council is a member of the mutual, rather than an ordinary customer. Out of respect for this relationship, discussions were held with Statewide to consider alternate options to Council pursuing its claim through an appeal.

In response to these discussions, in November 2018, Statewide, offered to brief Mr Peter Taylor SC to provide advice ('the Taylor Advice') in respect to whether the damage was covered by Council's policy.

10.4 Ballina Wastewater Treatment Plant - Insurance Claim

Statewide agreed to be bound by the Taylor Advice. However, under these arrangements, Council did not have to agree to be bound by the advice and Council subsequently agreed to make a submission to Mr Taylor.

Mr Taylor's advice to Statewide was received in May 2019 and said that it was likely Council was covered under the policy for the damage.

Accordingly, as per the agreement, Statewide confirmed that liability under the policy was not an issue, and it now needed to consider the quantum of the claim.

Despite regular submissions from Council, it has taken many years for Statewide to assess the quantum of the claim.

In 2019 Council initiated a project to replace the damaged membrane plates and Statewide was advised of the cost of the membrane replacement.

Copies of the tender assessment, reporting and contract were provided to Statewide for their information.

It was Council's submission that the quantum could be negotiated by reviewing the actual costs under the contract. However, Statewide preferred to obtain an expert opinion to assess valuation.

In response to these processes, an offer has now been received from Statewide ('the Statewide Offer').

Delivery Program Strategy / Operational Plan Activity

This report is relevant to the Delivery Program Strategy PE3.3 Deliver infrastructure that supports residential living.

Community Engagement Strategy

No community consultation has been undertaken in preparing this report.

Financial / Risk Considerations

Information regarding commercial risk is discussed in the confidential report.

Options

This report is for noting as it is recommended the Council consider the information provided in the confidential section of the agenda to determine whether to accept the Statewide Offer.

RECOMMENDATION

That Council notes the contents of this report regarding the insurance claim for the membrane plates at the Ballina Wastewater Treatment Plant, with the terms of the settlement included in a confidential report later in this agenda.

Attachment(s)

Nil

11. Notices of Motion

Nil Items

12. Advisory Committee Minutes

12. Advisory Committee Minutes

Nil Items

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 June 2025 Ordinary meeting are as follows:

<u>Date</u>	<u>Meeting</u>
26 June	Northern Rivers Community Gallery – July/August Exhibitions launch
30 June	Resident meeting
30 June	Cr Briefing - Update on C Zones Deferred Matter Integration
1 July	Interview with Paradise FM – Wollongbar Residential Land Auction
2 July	Xavier Catholic College 25 th Anniversary Mass
2 July	Investment NSW Project Working Group – Regional Skilled Migration Designated Area Migration Agreement (DAMA) Feasibility Study
2 July	Cr Briefing – Strategic Urban Growth Areas (SUGAs)
3 July	LGNSW Executive Board – Ethics, Culture and Governance Training
4 July	LGNSW Board Briefing and Meeting
7 July	NAIDOC Week Annual Celebration Walk “The Next Generation: Strength, Vision and Legacy”
7 July	Cr Briefing – Donations Working Party 2025/26
7 July	Cr Briefing – Medium Density Housing Options on Council land
8 July	Resident meeting
8 July	A Ward Committee meeting
9 July	Investment NSW Project Working Group – Regional Skilled Migration Designated Area Migration Agreement (DAMA) Feasibility Study
9 July	Australian Labor Party Ballina Branch meeting – speaking on health of the Richmond River
10 July	CMA Executive Board meeting
10 July	20 years of Jetstar at Ballina event
10 July	C Ward Committee meeting
11 July	Ballina RSL sub-Branch Middle East Area of Operations Day Service and dinner
14 July	Australian Coastal Councils Association (ACCA) Zoom meeting
14 July	Performance Review Committee meeting
14 July	Lennox Head Residents Association meeting
15 July	Public Citizenship Ceremony
15 July	Ballina Hospital Auxiliary AGM, Award presentation and afternoon tea
16 July	Resident meeting
16 July	Investment NSW Project Working Group – Regional Skilled Migration Designated Area Migration Agreement (DAMA) Feasibility Study
21 July	Holy Family Catholic Primary School on-site meeting
21 July	Screenworks meeting
21 July	Ballina Naval and Maritime Museum on-site meeting
21 July	Ordinary Meeting Business paper review
21 July	B Ward Committee meeting
24 July	Ordinary meeting

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 Debt Recovery - Water Charges

This report contains personal information relating to the debtor and their circumstances, as outlined in Item 9.11 of this agenda.

14.2 Russellton Industrial Estate - Potential Sale of One Lot

This report contains commercial information as outlined in Item 9.12 of this agenda.

14.3 Ballina Wastewater Treatment Plant - Insurance Claim - Settlement Offer

This report contains commercial information as outlined in Item 10.4 of this agenda..

14.4 General Manager - Performance Review (Confidential)

This report contains information relating to Personnel matters concerning particular individuals (other than councillors), as outlined in Item 9.10 of this agenda..

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 Debt Recovery - Water Charges

Reason for Confidentiality

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

- b) the personal hardship of any resident or ratepayer

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 personal information in relation to the debtor and their circumstances included in this report.

14.2 Russellton Industrial Estate - Potential Sale of One Lot

Reason for Confidentiality

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

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

and in accordance with 10D(2)(c), on balance, the discussion of the matter in an open meeting is not considered to be in the public interest as it may prejudice commercial negotiations.

14.3 Ballina Wastewater Treatment Plant - Insurance Claim - Settlement Offer

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 because this matter is subject to commercial negotiations.

14.4 General Manager - Performance Review (Confidential)

Reason for Confidentiality

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

- a) personnel matters concerning particular individuals (other than councillors)

and in accordance with 10D(2)(c), on balance, the discussion of the matter in an open meeting is not considered to be in the public interest as it includes Personnel matters concerning particular individuals (other than councillors).