

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 24/07/25 AT 9:00 AM**

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**Attendance**

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

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

There was one person in the gallery at this time.

**1. Australian National Anthem**

The National Anthem was played.

**2. Acknowledgement of Country**

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

**3. Apologies**

Nil

**4. Confirmation of Minutes**

**240725/1        RESOLVED**

(Cr Damian Loone/Cr Simon Chate)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 26 June 2025.

FOR VOTE - All Councillors voted unanimously.

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

- **Cr Sharon Cadwallader** declared an interest in: Item 9.5 – Donations – Community and Sporting Groups – 2025/26 (Nature of interest: non significant, non-pecuniary). Cr Cadwallader is an honorary member of the Rotary Club of Ballina on Richmond and her husband is a member. Item 9.10 – Tender – Sewer Pump Station Switchboard Renewals (Nature of interest: non-significant, non-pecuniary). Cr Cadwallader works for a relative of the tenderer. Cr Cadwallader will remain in the room while both items are discussed and will vote on these items.

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- **Paul Hickey, General Manager** – declared an interest in: Item 9.15 – General Manager - Performance Review – (Nature of Interest: non-significant, non-pecuniary – the report provides an overview of the performance review process and is for noting). Mr Hickey will remain in the room while the item is discussed. Item 14.4 – General Manager - Performance Review (Confidential) – (Nature of Interest: Pecuniary). Mr Hickey will leave the room while the item is discussed.
- **Cr Michelle Bailey** later in the meeting declared an interest in: Item 9.13 – Delivery Program and Operational Plan - 30 June 2025 Review (Nature of interest: significant, non-pecuniary). Cr Bailey is the President of Business Lennox Head. Cr Bailey will leave the room while the item is discussed.

There were no reportable political donations.

**6. Deputations**

There were no deputations.

**7. Mayoral Minutes**

Nil items.

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

**8.1 Newrybar Village Centre - Streetscape Master Plan - Adoption**

**240725/2        RESOLVED**

(Cr Eva Ramsey/Cr Simon Chate)

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

FOR VOTE - All Councillors voted unanimously.

**8.2 Place and Public Realm Framework - Draft**

**240725/3        RESOLVED**

(Cr Therese Crollick/Cr Michelle Bailey)

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

FOR VOTE - All Councillors voted unanimously.

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**8.3     Development Applications - Works in Progress - June 2025**

**240725/4           RESOLVED**

(Cr Kiri Dicker/Cr Eva Ramsey)

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.
4. That Council thanks staff for their commitment to the overall improvement.

FOR VOTE - All Councillors voted unanimously.

**9.       Corporate and Community Division Reports**

**9.1     Use of Council Seal**

**240725/5           RESOLVED**

(Cr Damian Loone/Cr Simon Chate)

That Council affix the Common Seal to the following documents.

US2025/13	Ballina Shire Council Lease to Specsavers P/L, 153 and 155 River Street Ballina. Variation to initial lease term from 6 to 7 years.
US2025/14	Ballina Shire Council Lease to Mori's Japanese Kitchen Pty Ltd, Shop 11 Wigmore Arcade Ballina

FOR VOTE - All Councillors voted unanimously.

**9.2     Investment Summary - June 2025**

**240725/6           RESOLVED**

(Cr Simon Chate/Cr Therese Crollick)

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

FOR VOTE - All Councillors voted unanimously.

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Cr Kiri Dicker left the meeting at 9:56 am.

**9.3      Councillor Expenses - 2024/25 Financial Year**

**240725/7          RESOLVED**

(Cr Simon Kinny/Cr Michelle Bailey)

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, NSW Planning System, Community and Stakeholder Engagement and Integrated Planning and Reporting.
3. That the definition of appropriate refreshments be amended to include alcoholic beverages.

FOR VOTE - Cr Sharon Cadwallader, Cr Michelle Bailey, Cr Simon Kinny, Cr Damian Loone, Cr Therese Crollick, Cr Eva Ramsey and Cr Phil Meehan  
AGAINST VOTE - Cr Simon Chate and Cr Erin Karsten  
ABSENT. DID NOT VOTE - Cr Kiri Dicker

Cr Kiri Dicker returned to the meeting at 9:58 am.

**9.4      Donations - Rates and Charges - 2025/26**

**240725/8          RESOLVED**

(Cr Damian Loone/Cr Therese Crollick)

1. 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.
2. That Council review the Donations – Rates and Charges Policy.

FOR VOTE - All Councillors voted unanimously.

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

**240725/9         RESOLVED**

(Cr Therese Crollick/Cr Eva Ramsey)

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.

FOR VOTE - All Councillors voted unanimously.

Cr Erin Karsten left the meeting at 10:13 am.

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

**240725/10         RESOLVED**

(Cr Kiri Dicker/Cr Simon Chate)

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.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Erin Karsten

**9.7     Tender - Plant Hire (Wet And Dry)**

**240725/11         RESOLVED**

(Cr Therese Crollick/Cr Damian Loone)

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

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Tipplers, 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.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Erin Karsten

Cr Erin Karsten returned to the meeting at 10:22 am.

**9.8 Tender - Laboratory Testing Services**

**240725/12      RESOLVED**

(Cr Therese Crollick/Cr Michelle Bailey)

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.

FOR VOTE - All Councillors voted unanimously.

**9.9 Tender - Ballina SES Facilities – Construction**

**240725/13      RESOLVED**

(Cr Sharon Cadwallader/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.

**Adjournment**

The Mayor declared the meeting adjourned at 10.37am.

The meeting resumed at 11.00am.

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**9.10    Tender - Sewer Pump Station Switchboard Renewals**

**240725/14        RESOLVED**

(Cr Simon Kinny/Cr Simon Chate)

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 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.

FOR VOTE - All Councillors voted unanimously.

**9.11    Debt Recovery - Water Charges**

**240725/15        RESOLVED**

(Cr Simon Chate/Cr Damian Loone)

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

FOR VOTE - All Councillors voted unanimously.

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**9.12    Russellton Industrial Estate - Status and Potential Sale**

**240725/16        RESOLVED**

(Cr Therese Crollick/Cr Simon Chate)

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.

FOR VOTE - All Councillors voted unanimously.

Cr Michelle Bailey left the meeting at 11:17 am.

**240725/17        RESOLVED**

(Cr Kiri Dicker/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.

**240725/18        RESOLVED**

(Cr Damian Loone/Cr Simon Kinny)

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

FOR VOTE - All Councillors voted unanimously.

**9.13    Delivery Program and Operational Plan - 30 June 2025 Review**

**240725/19        RESOLVED**

(Cr Damian Loone/Cr Eva Ramsey)

1. 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.
2. That Council increase the footpath dining Fees and Charges by 10% for 2025/26 with the intention to increase by 10% annually for the next four years.
3. That Council review the Urban Vegetation on Public Land Policy.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Michelle Bailey



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Cr Michelle Bailey returned to the meeting at 11:40 am.  
Cr Damian Loone left the meeting at 11:40 am.

**9.14 Capital Expenditure - 30 June 2025 Review**

**240725/20      RESOLVED**

(Cr Therese Crollick/Cr Simon Chate)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Damian Loone

**9.15 General Manager - Performance Review**

**240725/21      RESOLVED**

(Cr Simon Chate/Cr Michelle Bailey)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Damian Loone

Cr Damian Loone returned to the meeting at 11:43 am.

**10. Civil Services Division Reports**

**10.1 Private Property - Drainage Works - East Street, Tintenbar**

**240725/22      RESOLVED**

(Cr Eva Ramsey/Cr Therese Crollick)

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.

FOR VOTE - All Councillors voted unanimously.

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**10.2 Flood Warning Infrastructure Network - Transfer of Assets**

**240725/23      RESOLVED**

(Cr Simon Kinny/Cr Therese Crollick)

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.

FOR VOTE - All Councillors voted unanimously.

**10.3 Policy (Review) - Water and Wastewater Connections**

**240725/24      RESOLVED**

(Cr Therese Crollick/Cr Simon Chate)

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.

FOR VOTE - All Councillors voted unanimously.

**10.4 Ballina Wastewater Treatment Plant - Insurance Claim**

**240725/25      RESOLVED**

(Cr Michelle Bailey/Cr Simon Chate)

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.

FOR VOTE - All Councillors voted unanimously.

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**11. Notices of Motion**

Nil Items

**12. Advisory Committee Minutes**

Nil Items

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

**13.1 Mayoral Meetings**

**240725/26      RESOLVED**

(Cr Michelle Bailey/Cr Simon Chate)

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

FOR VOTE - All Councillors voted unanimously.

**14. Confidential Session**

**240725/27      RESOLVED**

(Cr Eva Ramsey/Cr Michelle Bailey)

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.

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**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  
Personnel matters concerning particular individuals (other than councillors).

FOR VOTE - All Councillors voted unanimously.

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(The Council moved into Confidential Session at 11.52am).

**Committee of the Whole**

**240725/28      RESOLVED**

(Cr Therese Crollick/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved out of Confidential Session at 12.29pm)

**Public Question Time**

The meeting was Adjourned for Public Question Time at 12.29pm

The meeting resumed at 12.40pm

(The Council moved into Confidential Session at 12.40pm)

Paul Hickey and staff left the meeting at this stage.

**Open Council**

**240725/29      RESOLVED**

(Cr Therese Crollick/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 2.27pm).

Staff returned to the meeting.

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

**14.1    Debt Recovery - Water Charges**

**CF240725/30    RECOMMENDED**

(Cr Sharon Cadwallader/Cr Damian Loone)

1. That based on the contents of this report, and the unusual circumstances outlined in the report, Council apply a reduced interest rate (equivalent to CPI) on the overdue water charges, following the interest free period, for the subject property.

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2. That subject to point 1, Council place a hold on further action until the sale of the property by Council, becomes a viable option.

3. That Council refers this matter to the Police for further assistance.

FOR VOTE - All Councillors voted unanimously.

**14.2 Russellton Industrial Estate - Potential Sale of One Lot**

**CF240725/31 RECOMMENDED**

(Cr Michelle Bailey/Cr Therese Crollick)

1. That Council adopts Option One as per the contents of this report, and approves the sale of proposed Lot 20, based on the pricing contained with the report.

2. That Council authorises the General Manager to finalise negotiations for the sale, execute all relevant documentation and affix the Council seal.

FOR VOTE - All Councillors voted unanimously.

**14.3 Ballina Wastewater Treatment Plant - Insurance Claim - Settlement Offer**

**CF240725/32 RECOMMENDED**

(Cr Erin Karsten/Cr Therese Crollick)

The General Manager is authorised to accept the terms offered by Statewide Mutual, in the correspondence dated 3 July 2025, as per Attachment 1 to this report, as the settlement for Council's insurance claim for damage to the membranes at the Ballina Wastewater Treatment Plant.

FOR VOTE - All Councillors voted unanimously.

**14.4 General Manager - Performance Review (Confidential)**

**CF240725/33 RECOMMENDED**

(Cr Therese Crollick/Cr Phil Meehan)

1. That Council adopts the General Manager's Performance Review Committee's evaluation for the General Manager's twelve-month performance review for 2024/25, as per Attachment 1 to this report.

2. That Council approves an increase in the total remuneration package by the Statutory and Other Offices Remuneration Tribunal (SOORT), from the first pay period when it is known.

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3. That Council follows Local Government NSW best practice process in regard to the General Manager's Performance Review, where all Councillors are given the General Manager's self-appraisal a minimum of 2 weeks prior to the performance review to invite Councillors feedback to the review panel who will have delegated authority for adoption to the full Council. The review must take place after the July Ordinary meeting.

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

AGAINST VOTE - Cr Erin Karsten and Cr Kiri Dicker

**Adjournment**

The Mayor declared the meeting adjourned at 2.34pm.

The meeting resumed at 2.37pm.

**Adoption of Recommendations from Confidential Session**

**240725/34      RESOLVED**

(Cr Therese Crollick/Cr Phil Meehan)

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

FOR VOTE - All Councillors voted unanimously.

**MEETING CLOSURE**

The meeting was closed at 2.38pm.

The Minutes of the Ordinary Meeting held on 24/07/25 were submitted for confirmation by council on 28 August 2025 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 28 August 2025.