

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/08/25 AT 9:00 AM**

Attendance

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

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

There were 17 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was played.

2. Acknowledgement of Country

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

The Mayor offered her condolences to the two police officers that lost their lives in Victoria last week. The Deputy Mayor also acknowledged this tragic loss.

3. Apologies

Cr Therese Crollick has been granted leave of absence.

280825/1 RESOLVED

(Cr Simon Chate/Cr Eva Ramsey)

That such leave of absence be granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Therese Crollick

4. Confirmation of Minutes

280825/2 RESOLVED

(Cr Michelle Bailey/Cr Damian Loone)

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

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FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

280825/3 RESOLVED

(Cr Michelle Bailey/Cr Erin Karsten)

That Council confirms the Minutes of the Extraordinary Meeting of Ballina Shire Council held on Monday 4 August 2025.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

5. Declarations of Interest and Reportable Political Donations

- **Cr Michelle Bailey** – declared an interest in Item 8.2 LEP 2012 - Deferred Matters - Teven Test Cases and Continuation (Nature of Interest: non-significant, non-pecuniary). Cr Bailey has property under the deferred matter however as it is a Shire wide debate, Cr Bailey will remain in the room while this Item is discussed.
- **Cr Simon Kinny** – declared an interest in Item 8.5 (Nature of Interest: non-significant, non-pecuniary). Cr Kinny's son in law is the Site Manager for Go Grow. Cr Kinny will remain in the room while the item is discussed and will vote on the item.

There were no reportable political donations.

6. Deputations

- **Dr Melissa Van Zwieten** – spoke in favour of Item 8.2 LEP 2012 - Deferred Matters - Teven Test Cases and Continuation
- **Kate Flindall** – spoke in opposition to Item 8.2 LEP 2012 - Deferred Matters - Teven Test Cases and Continuation
- **Sally Prendergast** – spoke in opposition to Item 8.5 Local Strategic Planning Statement – Draft
- **Louissa Rogers, Richmond Landcare** – spoke in favour of Item 11.3 Notice of Motion – Northern Rivers Resilience Initiative

7. Mayoral Minutes

Nil

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Change in Order of Business

280825/4 RESOLVED

(Cr Simon Chate/Cr Erin Karsten)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

8. Planning and Environmental Health Division Reports

8.2 LEP 2012 - Deferred Matters - Teven Test Cases and Continuation

A **Motion** was moved by Cr Eva Ramsey and Cr Michelle Bailey

1. That Council adopts the six guiding principles, as detailed in this report, to evaluate the appropriateness of a C zone being applied to privately owned land.
2. That Council adopts the revised primary use of land (PUL), and zone recommendations contained within Table 1 of this report, for the Teven Test Case properties, and prepare a planning proposal on that basis. The planning proposal is to be submitted for a Gateway determination and subsequent public exhibition.
3. That Council adopts the PUL recommendations in this report, in respect to 287 North Teven Road, Teven and 54 Buckombil Mountain Road, Meerschaum Vale and the zoning outcomes shown in Diagrams 10 and 12. These properties to be incorporated in the planning proposal referenced in point 2.
4. That Council further consider the zones applied to the remaining three properties, subject to unconsidered objections, as detailed in this report, if requested to do so by the property owners, at no cost to the owners.
5. That further transitioning of privately owned deferred matter affected properties into Ballina LEP 2012, for zones substantially other than C2, or C3, be the subject of proponent-initiated planning proposals. This includes the payment of Council's fees and charges.
6. That private property owners seeking to transition deferred matter affected properties to be substantially zoned C2, or C3, be exempt from Council's rezoning fees and charges, as the proposals are to be incorporated into a Council prepared planning proposal, on an annual, or as required basis, concurrently with periodic reviews of the LEP.

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7. The transition of Council owned deferred matter properties, excluded from Amendment No 55, are to be included in a planning proposal, within the next 12 months.
 8. The transition of Government Agency and JALI Local Aboriginal Land Council owned deferred matter properties, excluded from Amendment No 55, are to be considered on an on-request basis.
 9. That Council applies a zoning arrangement to 118 Beacon Road, Teven consistent with image 3b in the report.

An **Amendment** was moved by Cr Kiri Dicker and seconded by Cr Erin Karsten

1. That Council adopts the six guiding principles, as detailed in this report, to evaluate the appropriateness of a C zone being applied to privately owned land.
2. That Council adopts the revised primary use of land (PUL), and zone recommendations contained within Table 1 of this report, for the Teven Test Case properties, and prepare a planning proposal on that basis. The planning proposal is to be submitted for a Gateway determination and subsequent public exhibition.
3. That Council adopts the PUL recommendations in this report, in respect to 287 North Teven Road, Teven and 54 Buckombil Mountain Road, Meerschaum Vale and the zoning outcomes shown in Diagrams 10 and 12. These properties to be incorporated in the planning proposal referenced in point 2.
4. That Council further consider the zones applied to the remaining three properties, subject to unconsidered objections, as detailed in this report, if requested to do so by the property owners, at no cost to the owners.
5. That further transitioning of privately owned deferred matter affected properties into Ballina LEP 2012, for zones substantially other than C2, or C3, be the subject of proponent-initiated planning proposals. This includes the payment of Council's fees and charges.
6. That private property owners seeking to transition deferred matter affected properties be exempt from Council's rezoning fees and charges when the majority of the land is proposed to be zoned C2, as the proposals are to be incorporated into a Council prepared planning proposal, on an annual, or as required basis, concurrently with periodic reviews of the LEP.
7. The transition of Council owned deferred matter properties, excluded from Amendment No 55, are to be included in a planning proposal, within the next 12 months.
8. The transition of Government Agency and JALI Local Aboriginal Land Council owned deferred matter properties, excluded from Amendment No 55, are to be considered on an on-request basis.

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9. That Council provides vegetation mapping data obtained through the deferred matters program and other initiatives to the NSW State Government to inform future updates to the Biodiversity Values Map.

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

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

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

ABSENT. DID NOT VOTE - Cr Therese Crollick

Cr Michelle Bailey left the meeting at 10.07 am.

An **Amendment** was moved by Cr Phil Meehan seconded by Cr Eva Ramsey

1. That Council adopts the six guiding principles, as detailed in this report, to evaluate the appropriateness of a C zone being applied to privately owned land.
2. That Council adopts the revised primary use of land (PUL), and zone recommendations contained within Table 1 of this report, for the Teven Test Case properties, and prepare a planning proposal on that basis. The planning proposal is to be submitted for a Gateway determination and subsequent public exhibition.
3. That Council adopts the PUL recommendations in this report, in respect to 287 North Teven Road, Teven and 54 Buckombil Mountain Road, Meerschaum Vale and the zoning outcomes shown in Diagrams 10 and 12. These properties to be incorporated in the planning proposal referenced in point 2.
4. That Council further consider the zones applied to the remaining three properties, subject to unconsidered objections, as detailed in this report, if requested to do so by the property owners, at no cost to the owners.
5. That further transitioning of privately owned deferred matter affected properties into Ballina LEP 2012 relating to amendment 55, for zones substantially other than C2, or C3, be the subject of proponent-initiated planning proposals. This is to be at no cost to the landowner in terms of Council fees.
6. That private property owners seeking to transition deferred matter affected properties to be substantially zoned C2, or C3, be exempt from Council's rezoning fees and charges, as the proposals are to be incorporated into a Council prepared planning proposal, on an annual, or as required basis, concurrently with periodic reviews of the LEP.
7. The transition of Council owned deferred matter properties, excluded from Amendment No 55, are to be included in a planning proposal, within the next 12 months.

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8. The transition of Government Agency and JALI Local Aboriginal Land Council owned deferred matter properties, excluded from Amendment No 55, are to be considered on an on-request basis.
 9. That Council applies a zoning arrangement to 118 Beacon Road, Teven consistent with image 3b in the report.
 10. That Council provides vegetation mapping data obtained through the deferred matters program and other initiatives to the NSW State Government to inform future updates to the Biodiversity Values Map.

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

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

Cr Michelle Bailey returned to the meeting at 10.15 am.

280825/5 RESOLVED

(Cr Eva Ramsey/Cr Michelle Bailey)

1. That Council adopts the six guiding principles, as detailed in this report, to evaluate the appropriateness of a C zone being applied to privately owned land.
2. That Council adopts the revised primary use of land (PUL), and zone recommendations contained within Table 1 of this report, for the Teven Test Case properties, and prepare a planning proposal on that basis. The planning proposal is to be submitted for a Gateway determination and subsequent public exhibition.
3. That Council adopts the PUL recommendations in this report, in respect to 287 North Teven Road, Teven and 54 Buckombil Mountain Road, Meerschaum Vale and the zoning outcomes shown in Diagrams 10 and 12. These properties to be incorporated in the planning proposal referenced in point 2.
4. That Council further consider the zones applied to the remaining three properties, subject to unconsidered objections, as detailed in this report, if requested to do so by the property owners, at no cost to the owners.
5. That further transitioning of privately owned deferred matter affected properties into Ballina LEP 2012, for zones substantially other than C2, or C3, be the subject of proponent-initiated planning proposals. This includes the payment of Council's fees and charges.
6. That private property owners seeking to transition deferred matter affected properties to be substantially zoned C2, or C3, be exempt from Council's

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rezoning fees and charges, as the proposals are to be incorporated into a Council prepared planning proposal, on an annual, or as required basis, concurrently with periodic reviews of the LEP.

7. The transition of Council owned deferred matter properties, excluded from Amendment No 55, are to be included in a planning proposal, within the next 12 months.
8. The transition of Government Agency and JALI Local Aboriginal Land Council owned deferred matter properties, excluded from Amendment No 55, are to be considered on an on-request basis.
9. That Council applies a zoning arrangement to 118 Beacon Road, Teven consistent with image 3b in the report.
10. That Council provides vegetation mapping data obtained through the deferred matters program and other initiatives to the NSW State Government to inform future updates to the Biodiversity Values Map.

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

AGAINST VOTE - Cr Phil Meehan

ABSENT. DID NOT VOTE - Cr Therese Crollick

8.5 Local Strategic Planning Statement - Draft

280825/6 RESOLVED

(Cr Kiri Dicker/Cr Michelle Bailey)

That Council approves the public exhibition of the draft Local Strategic Planning Statement (LSPS), as per Attachment 1 to this report, for a minimum period 28 days.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Therese Crollick

11.3 Notice of Motion - Northern Rivers Resilience Initiative

A **Motion** was moved by Cr Kiri Dicker and seconded by Cr Erin Karsten

That Council makes a written submission to the Northern Rivers Resilience Initiative (NRRI) that:

1. Congratulates the CSIRO and Project Lead Dr Jai Vaze on the completion of the hydrodynamic model for the Richmond River catchment.

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2. Expresses concern at the methodology used in the recent NRRI consultation process, including that:
 - No information was provided on the origin of the proposed solutions or the level of scientific rigour applied.
 - Proposed solutions did not consider the likely impacts on river health or First Nations cultural heritage, or local economies, causing angst and upset in the community.
 - The expectation that members of the public could reliably rank the proposed solutions in order of preference with almost no explanation about what they entailed was unrealistic and constitutes poor practice in community engagement.
 - None of the proposed solutions were nature-based (e.g. the restoration of riparian zones) despite their proven capacity to mitigate flooding and benefit the health of the river.
 - Online submissions were limited to 40 words, which is an inadequate given the complexity of the issue and its importance to local communities.
 3. Advises the NRRI on Council's endorsed policy position (where it exists), on the proposed solutions within its jurisdiction including:
 - **Solution 12:** Council's recent resolution to support the work currently being undertaken to *restore* the Tuckean Swamp and it is therefore strongly opposed to a solution which proposed further drainage to this area.
 - **Solution 14:** A levee for Ballina has been investigated and modelled by Council on numerous occasions and found to be unfeasible and it is therefore not a good use of public money to further investigate this solution.
 - **Solution 15:** Culverts in West Ballina have been investigated and modelled by Council and are supported, and that any money spent further modelling this solution would be better spent implementing the proposed works.
 4. Requests that the CSIRO/NEMA report the outcomes of the NRRI community consultation and proposed scenarios for modelling back to the Councils in the Richmond River catchment so that they may be endorsed.

A **Motion** was moved by Cr Phil Meehan

That the Motion be put to the vote.

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

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

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

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

ABSENT. DID NOT VOTE - Cr Therese Crollick

Adjournment

The Mayor declared the meeting adjourned at 10.32am.

The meeting resumed at 11.00am.

8.1 LEP Amendment - 305 The Coast Road, Skennars Head

280825/7 RESOLVED

(Cr Eva Ramsey/Cr Damian Loone)

1. That Council endorses the proposed amendments to the Ballina Local Environmental Plan 2012 to rezone part of 305 The Coast Road, Skennars Head as detailed in the Planning Proposal in Attachment 2 to this report (BSCPP 25/002), including consequential changes to minimum lot size, height of building and land application maps.
2. That Council submits Planning Proposal BSCPP 25/002 to the Department Planning Housing and Infrastructure (DPHI) for a Gateway Determination.
3. That upon an affirmative Gateway determination being received, Council proceeds to public exhibition and agency consultation in accordance with Gateway determination requirements.
4. That Council endorse the preparation of a draft planning agreement as detailed in this report.
5. That the draft planning agreement (or other suitable legal mechanism) once finalised be publicly exhibited concurrently with the planning proposal.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Therese Crollick

8.3 Local Environmental Plan - General Amendments

280825/8 RESOLVED

(Cr Kiri Dicker/Cr Simon Chate)

1. That Council endorses the proposed General Amendments to the Ballina Local Environmental Plan 2012 as detailed in Attachment 1 to this report

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(BSCPP25/001) and submits the Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway determination.

2. That the Department of Planning Housing and Infrastructure be advised that Council is seeking to be authorised as the Local Plan Making Authority for this LEP amendment and to exercise its delegated plan making functions.
3. That upon confirmation of a Gateway determination being received, Council proceeds to public exhibition and agency consultation in accordance with Gateway determination requirements,
4. That, following the public exhibition period, a public hearing is arranged in accordance with requirements in the *Local Government Act 1993* regarding the reclassification of community land as outlined in Item 9 in this report.
5. That the planning proposal be reported to Council along with the report on the public hearing and any submissions received during public exhibition prior to finalisation of the planning proposal.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Therese Crollick

8.4 Dual Occupancy Permissibility - Environmental Protection Zones

280825/9 RESOLVED

(Cr Kiri Dicker/Cr Michelle Bailey)

1. That Council prepare a planning proposal to amend the Ballina Local Environmental Plan 1987 to allow an application pathway for detached dual occupancies within Zone 7(c) Environmental Protection (Water Catchment), including insertion of the following clause:
 - (a) *the development will not impair the use of the land or adjoining land for agriculture or rural industries, and*
 - (b) *each dwelling will use the same vehicular point of access to and from a public road, and*
 - (c) *the land is physically suitable for the development, and*
 - (d) *the land will accommodate the on-site disposal and management of sewage for each dwelling.*
 - (e) *the development will not have an adverse impact on the scenic amenity or character of the rural environment.*
2. The planning proposal is to be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
3. Upon an affirmative Gateway Determination, the procedural steps associated with progression of the planning proposal be undertaken, including consultation with Rous County Council and the relevant State Government Agencies, along with public exhibition.

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4. That the Department of Planning, Housing and Infrastructure be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.
 5. That Councillors receive a briefing on the Zone 7(c) Environmental Protection Water Catchment area.

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

8.6 Fire Safety Order - 103 River Street, Ballina

280825/10 RESOLVED

(Cr Erin Karsten/Cr Simon Chate)

That Council notes the content of this report regarding the issue of a Fire Safety Order in relation to 103 River Street, Ballina.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

8.7 Policy (Review) - Burials on Private Rural Land

280825/11 RESOLVED

(Cr Simon Chate/Cr Erin Karsten)

1. That Council adopts the amended Burials on Private Rural Lands Policy, as per Attachment 1 to this report.
2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received, then no further action is required.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

8.8 Policy (Review) - Community Event Signage

280825/12 RESOLVED

(Cr Eva Ramsey/Cr Michelle Bailey)

1. That Council adopts the amended Community Event Signage Policy, as per Attachment 1 to this report.

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2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received, then no further action is required.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

9. Corporate and Community Division Reports

9.1 Use of Council Seal

280825/13 RESOLVED

(Cr Simon Chate/Cr Damian Loone)

That Council affix the Common Seal to the following documents.

US2025/15	1. That Council, in accordance with the relevant provisions of the Local Government Act 1993 and the Crown Land Management Act 2016, enters the following lease/licence of <i>community land</i> :		
	Property	Tenant	Tenure
	Part of Reserve 82164, Kingsford Smith Reserve, Part lot 7064 DP 1118403 (Council is Crown Land Manager of Reserve 82164)	Ballina Hockey Club Incorporated	Three-year lease at an initial annual rent of \$9,506.63 inc GST plus December 2025 CPI, with rent increased annually by the December quarter CPI for each subsequent year in the lease term.
	Part Wollongbar Sportsfields, being part Lot 2 DP 1168781	Alstonville Tennis and Pickleball Club Incorporated	Four-year lease at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)
	The Storage Shed at 'Skennars Head Sportsfields' being Lot 13 DP 1245669	Le-Ba Boardriders Incorporated	Four-year licence at a rent equal to the statutory minimum charged by Crown Lands (currently \$609 per annum plus GST)
	The clubhouse at 'Kingsford Smith Reserve' being Lot 153 DP 1098090	Ballina Seagulls Football Club Incorporated	12-month licence at a rent equal to the statutory minimum charged by Crown

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			Lands (currently \$609 per annum plus GST)
	Wardell Tennis Court Complex, being part of Fitzroy Park Wardell (Part lot 18 DP 1129974, 32 Bridge Drive Wardell)	Wardell and District Tennis Club Incorporated	Four-year lease at a rent equal to the statutory minimum rent charged by Crown Lands (currently \$609 per annum plus GST)
	Storage shed at Wollongbar Hall, being part of Lot 267 DP 1209571	Alstonville & District Cricket Club Inc	Four-year licence at a rent equal to the statutory minimum rent charged by Crown Lands (currently \$609 per annum plus GST)
	2. That prior to point one being actioned, statutory public notification relating to the proposed lease/licence of community land be undertaken, with a report to be presented to Council if an objection of a substantive nature is received to the grant of the proposed lease/licence.		
US2025/16	Ballina Shire Council lease to Alstonville Plateau Historical Society Incorporated over Crawford House being Lot 6 DP 235088, 10 Wardell Road Alstonville, for a four-year lease term at a rent equal to the statutory minimum rent charged by Crown Lands (currently \$609 per annum plus GST).		
US2025/17	Ballina Shire Council licence to Northern Rivers Dirty Wheels Mountain Bike Club Incorporated over Lot 12 DP 814359, Bruxner Highway Alstonville (Duck Creek Mountain Bike Park), for a four-year licence term at a rent equal to the statutory minimum rent charged by Crown Lands (currently \$609 per annum plus GST).		
US2025/18	Ballina Shire Council Sublease to Ballina River Street Children's Centre Incorporated over Lot 2, 5-8 Section 1, DP 758047, (12 River Street, Ballina), for a three-year sublease term at a rent equal to the statutory minimum rent charged by Crown Lands (currently \$609 per annum plus GST).		
US2025/19	Notice to Crown Lands NSW requesting to resign as Crown Land Manager of part of Hampton Park, Ballina (Dedication D540004), being Lot 560 DP1119965 and Lot 5611 DP1282979.		

2. Council authorises the General Manager to affix the seal to the documents listed in US2025/15 to US 2025/19 and any other associated documents.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

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9.2 Investment Summary - July 2025

280825/14 RESOLVED

(Cr Simon Chate/Cr Damian Loone)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

9.3 Legal Matters - Update

A **Motion** was moved by Cr Kiri Dicker and seconded by Cr Michelle Bailey

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

Cr Michelle Bailey left the meeting at 11.44am.

280825/15 RESOLVED

(Cr Kiri Dicker/Cr Michelle Bailey)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Michelle Bailey and Cr Therese Crollick

Cr Michelle Bailey returned to the meeting at 11.45am.

9.4 Rates and Charges Write Offs - 2024/25

280825/16 RESOLVED

(Cr Simon Chate/Cr Eva Ramsey)

That Council notes that rates, charges, and interest totalling \$2,379.97 (as per Tables 2, 3 and 4 of this report) were written off under delegation of the General Manager for the 2024/25 rating year pursuant to clause 131 of the Local Government (General) Regulation 2021.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

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9.5 Policy (Review) - Code of Meeting Practice

280825/17 RESOLVED

(Cr Erin Karsten/Cr Michelle Bailey)

That Council adopts the Code of Meeting Practice, as exhibited, as per Attachment 1 to this report.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

9.6 Tender - Wildlife Hazard Management Services - Airport

280825/18 RESOLVED

(Cr Simon Chate/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 Avisure Pty Ltd for the Tender - Wildlife Hazard Management Services - Airport for the total amount of \$522,716.34 (excluding GST).
2. That Council authorises the General Manager to sign the contract documents.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

Cr Simon Chate left the meeting at 11.54 am.

9.7 Financial Review - 2024/25 - Carry Forwards and Reserve Movements

280825/19 RESOLVED

(Cr Erin Karsten/Cr Eva Ramsey)

1. That Council notes the contents of this report in respect to the preliminary forecast operating results for 2024/25.
2. That Council approves the works and services carried forward, reserve movements and other additional changes to budget, as outlined in Tables 4, 5, 6 and 7 of this report, for inclusion in the Long-Term Financial Plan.
3. That Council approves the allocation of an additional \$1m for the Sharpes Beach Car Park Master Plan works, as described within this report, funded from the Open Spaces and Community Facilities Developer Contributions Plan.

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4. That Council approves the budget revisions for the Ballina Pump Track and Kingsford Smith Reserve Master Plan Car Parking and Pedestrian Refuge, as per Table 9 of this report, representing a total increase in funding of \$415,000.
 5. That Council confirms the revised cash flows and funding for the Ballina SES building, based on the construction tender accepted at the 24 July 2025 Ordinary meeting, are as follows:
 - 2024/25 - \$161,000 – actual expenditure funded from the State Government grant
 - 2025/26 - \$4,569,000 – increase of \$1,850,000 plus the \$19,000 carried forward from 2024/25. Funded through \$1.719m in grant funds and \$2,850,000 from the Community Infrastructure Reserve
 - 2026/27 - \$1,620,000 – funded from the Community Infrastructure Reserve.
 6. That Council approves the budget of \$10,000 for the Richmond River Sailing Club Ramp, subject to a \$5,000 contribution from the Richmond River Sailing Club, with the remaining \$5,000 funded from the Council Boat Ramps and Ferry Reserve.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Therese Crollick and Cr Simon Chate

Cr Simon Chate returned to the meeting at 11.55 am.

9.8 Special Rate Variation - Community Engagement

280825/20 RESOLVED

(Cr Eva Ramsey/Cr Michelle Bailey)

That Council endorses the community engagement approach, as outlined in this report, for an application to the Independent Pricing and Regulatory Tribunal, for a proposed four year Special Rate Variation of 6% per annum, commencing in 2026/27.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Therese Crollick

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/08/25 AT 9:00 AM**

10. Civil Services Division Reports

10.1 Donation - Community Resource Recovery Initiatives

280825/21 RESOLVED

(Cr Erin Karsten/Cr Michelle Bailey)

1. That Council approves a donation of \$6,368 to the Little Village for their Clothes Swap Project, as per Attachment 1 to this report, in accordance with the Donations – Community Resource Recovery Initiatives Policy.
2. That Council notes that the existing Landfill and Resource Management operating budgets will be the funding source for this donation.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

11. Notices of Motion

11.1 Rescission Motion - Policy (Review) - Councillor Expenses and Facilities

A **Motion** was moved by Cr Simon Chate and seconded by Cr Kiri Dicker

That resolution 240725/7 as follows, be rescinded:

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.

A **Motion** was moved by Cr Phil Meehan

That the Motion be put to the vote.

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

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

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/08/25 AT 9:00 AM**

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

11.2 Notice of Motion - NSW State Government Cost Shifting to Councils

280825/22 RESOLVED

(Cr Damian Loone/Cr Michelle Bailey)

1. That Council accepts the Local Government NSW commissioned report on the cost shifting to Local Government Councils across New South Wales.
2. That the approved report is highlighted in Council's Community Connect magazine, so that ratepayers and tenants are aware of the ever-increasing cost shifting to Councils across New South Wales

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

12. Advisory Committee Minutes

12.1 Commercial Services Committee Meeting Minutes - 14 August 2025

280825/23 RESOLVED

(Cr Erin Karsten/Cr Eva Ramsey)

That Council confirms the minutes of the Commercial Services Committee meeting held 14 August 2025 and that the recommendations contained within the minutes be adopted.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

Paul Hickey left the meeting at 12.37pm.

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

13.1 Mayoral Meetings

280825/24 RESOLVED

(Cr Michelle Bailey/Cr Damian Loone)

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/08/25 AT 9:00 AM**

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Therese Crollick

Cr Simon Kinny left the meeting at 12.46 pm.

The Mayor declared the meeting adjourned at 12.47pm for Public Question Time. There was 1 member of the gallery present.

The meeting resumed at 12.49pm.

14. Confidential Session

Nil items

MEETING CLOSURE

The meeting was closed at 12.50pm.

The Minutes of the Ordinary Meeting held on 28/08/25 were submitted for confirmation by council on 25 September 2025 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 25 September 2025.