

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/09/25 AT 9:00 AM**

Attendance

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

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), Nikki Glassop (Executive Assistant - General Manager and Mayor) and Penny van den Hoek (Administration Officer - Corporate and Community) were in attendance.

There were 20 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was played.

2. Acknowledgement of Country

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

3. Apologies

Nil

4. Confirmation of Minutes

250925/1 RESOLVED

(Cr Damian Loone/Cr Simon Kinny)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 August 2025.

FOR VOTE - All Councillors voted unanimously.

5. Declarations of Interest and Reportable Political Donations

- **Cr Phil Meehan** declared an interest in Item 8.2 Development Control Plan - General Amendments (Nature of Interest: significant, non-pecuniary). Cr Meehan is the Chairman of the Ballina Jockey Club. Cr Meehan will leave the room while this Item is discussed.

There were no reportable political donations.

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6. Deputations

- **Peter Walsh** – spoke in favour of Item 7.1 Mayoral Minute - Wardell Recreation Ground
- **Jennifer Foster-McPherson** – spoke in favour of Item 7.1 Mayoral Minute - Wardell Recreation Ground
- **Carmel Herington** – spoke in favour of Item 8.1 LEP Amendment Request - Foresters Way and Old Tintenbar Road

7. Mayoral Minutes

7.1 Mayoral Minute - Wardell Recreation Ground

A **Motion** was moved by Cr Sharon Cadwallader

1. That Council make representations to the NSW Premier (Hon Chris Minns), the Minister for Lands and Property (Hon Stephen Kamper) and the Minister for Recovery and the North Coast (Hon Janelle Saffin) seeking their support to ensure that there is no permanent transfer of the Wardell Recreation Grounds, until a compensating area of open space is delivered to the community, with the inclusion of comparable clubhouse facilities, or alternatively, including provision for an evacuation centre.
2. That the representations include a request for funding the embellishment of PV Walsh Park.

An **Amendment** was moved by Cr Phil Meehan and seconded by Cr Kiri Dicker

That Council undertakes consultation with the relevant State Government agencies, Jali LALC and the Wardell community in respect to the future use of the Wardell recreation grounds and clubhouse.

The **Amendment** was **LOST** on the casting vote of the Mayor

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

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

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

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 Erin Karsten

AGAINST VOTE - Cr Kiri Dicker and Cr Phil Meehan

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HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/09/25 AT 9:00 AM**

250925/2 RESOLVED

(Cr Sharon Cadwallader)

1. That Council make representations to the NSW Premier (Hon Chris Minns), the Minister for Lands and Property (Hon Stephen Kamper) and the Minister for Recovery and the North Coast (Hon Janelle Saffin) seeking their support to ensure that there is no permanent transfer of the Wardell Recreation Grounds, until a compensating area of open space is delivered to the community, with the inclusion of comparable clubhouse facilities, or alternatively, including provision for an evacuation centre.
2. That the representations include a request for funding the embellishment of PV Walsh Park.

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 Erin Karsten

AGAINST VOTE - Cr Kiri Dicker and Cr Phil Meehan

8. Planning and Environmental Health Division Reports

8.1 LEP Amendment Request - Foresters Way and Old Tintenbar Road

250925/3 RESOLVED

(Cr Kiri Dicker/Cr Damian Loone)

1. That Council endorses the proposed amendment to the Ballina Local Environmental Plan 2012 to amend the minimum lot size for subdivision for 86 Foresters Way (Lot 2 DP 1037930) and 38 Old Tintenbar Road (Lot 15 DP 569492 and Lot 1 DP1116012) to 60ha as detailed in the Planning Proposal contained in Attachment 2 to this report.
2. That Council submits Planning Proposal BSCPP 25/004 (Attachment 2) to the Department Planning Housing and Infrastructure for Gateway Determination.
3. 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.
4. That upon an affirmative Gateway determination being received, Council proceeds to public exhibition and agency consultation in accordance with Gateway determination requirements.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
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Cr Phil Meehan left the meeting at 10:09 am.

8.2 Development Control Plan - General Amendments

250925/4 RESOLVED

(Cr Therese Crollick/Cr Michelle Bailey)

That Council endorses amendments to chapters 2, 4, 7 and 8 of the Ballina Shire Development Control Plan 2012 as outlined in this report and its attachments for public exhibition for a period of 28 days in accordance with requirements in the *Environmental Planning and Assessment Regulation*.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Phil Meehan

Cr Phil Meehan returned to the meeting at 10:12 am.

8.3 Community Land Plan of Management - Revisions

250925/5 RESOLVED

(Cr Therese Crollick/Cr Michelle Bailey)

1. That Council endorses the proposed changes to the Plan of Management for Community Land as outlined within this report and included within Attachment 1 to this report.
2. That the revised draft Plan of Management for Community Land be placed on public exhibition and a public hearing be held in accordance with requirements of the Local Government Act.
3. That, if no submissions are received during the public exhibition period or to the public hearing, Council adopts the amended Plan of Management for Community Land and gives notice of its adoption in accordance with requirements of the Local Government Act.
4. That the Hampton Park Plan of Management (2002) be repealed upon finalisation of the revised draft Plan of Management for Community Land.

FOR VOTE - All Councillors voted unanimously.

8.4 Healthy Waterways Program - Update

250925/6 RESOLVED

(Cr Kiri Dicker/Cr Simon Chate)

1. That Council notes the contents of this report with respect to the implementation of the Healthy Waterways Program.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 25/09/25 AT 9:00 AM**

2. That Council approves the implementation of a small grants program for the restoration of private land, in rural areas, under the Healthy Waterways Program, as outlined within this report.

FOR VOTE - All Councillors voted unanimously.

9. Corporate and Community Division Reports

9.1 Use of Council Seal

250925/7 RESOLVED

(Cr Simon Chate/Cr Damian Loone)

That Council affix the Common Seal to the following documents.

US2025/20	Assignment of Lease – Tweed Byron Transit Pty Ltd to CXN Transport Pty Ltd for property known as 1/1277071 being part of the Ballina Byron Gateway Airport Terminal known as “Desk Area 7”.
US2025/21	Variation to Lease – Ballina Turf Farm are seeking to add an additional 5-year option to their lease. R R Macdonald lease Lots 1 DP865860, Lot 2 & Lot 3 DP854149 Kays Road Wardell known as Ballina Turf Farm and Residence.

FOR VOTE - All Councillors voted unanimously.

9.2 Investment Summary - August 2025

250925/8 RESOLVED

(Cr Damian Loone/Cr Simon Chate)

That Council notes the record of banking and investments for August 2025.

FOR VOTE - All Councillors voted unanimously.

9.3 Local Government NSW Conference - Voting Delegates

250925/9 RESOLVED

(Cr Phil Meehan/Cr Michelle Bailey)

That Council confirms the voting delegates as Crs Cadwallader, Crollick and Dicker for the LGNSW Annual Conference in November 2025.

FOR VOTE - All Councillors voted unanimously.

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HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
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ON 25/09/25 AT 9:00 AM**

Adjournment

The Mayor declared the meeting adjourned at 10.30am.
The meeting resumed at 10.53am.

9.4 State Library Funding - Priority Projects

A **Motion** was moved by Cr Phil Meehan and seconded by Cr Kiri Dicker

That Council approves the allocation of the 2025/26 State Library NSW Local Priority Subsidy Adjustment of \$59,432 to the Ballina Shire, to offset costs associated with the temporary relocation of the Alstonville Library during the expansion and refurbishment of the Alstonville Cultural Centre, due to the magnitude of the funding required for that project, estimated at \$16m plus, and the lack of grant funding currently secured for the project.

An **Amendment** was moved by Cr Simon Chate and seconded by Cr Therese Crollick

1. That Council approves 70% of the allocation of 2025/26 state library New South Wales Local priority subsidy adjustment equalling \$41,602.40 to the Ballina Shire, to offset costs associated with the temporary relocation of the Alstonville Library during the expansion and refurbishment of the Alstonville Cultural Centre, due to the magnitude of the funding required for that project, estimated at \$16m plus, and the lack of grant funding currently secured for the project.
2. That the remaining 30% valued at \$17,829.60 be allocated to the RTRL for the use by Ballina Library to develop their community programs throughout the year.

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

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

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

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

FOR VOTE - All Councillors voted unanimously.

250925/10 RESOLVED

(Cr Phil Meehan/Cr Kiri Dicker)

That Council approves the allocation of the 2025/26 State Library NSW Local Priority Subsidy Adjustment of \$59,432 to the Ballina Shire, to offset costs associated with the temporary relocation of the Alstonville Library during the expansion and refurbishment of the Alstonville Cultural Centre, due to the magnitude of the funding required for that project, estimated at \$16m plus, and the lack of grant funding currently secured for the project.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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9.5 26 Endeavour Close, Ballina - Future Use Options

250925/11 RESOLVED

(Cr Phil Meehan/Cr Erin Karsten)

1. That Council advise Unit Committee TS Lismore Inc and the Rainbow Region Dragon Boat Club that their lease and licence will not be renewed, as Council's preference is to sell or commercially lease 26 Endeavour Close, Ballina to help match the \$1.1m grant Council has secured through the State Government's Boating Infrastructure for Communities grant program, for the construction of the watercraft facilities identified in the Cawarra Park Master Plan.
2. The General Manager is authorised to negotiate with the Unit Committee TS Lismore Inc and the Rainbow Region Dragon Boat Club to confirm the preferred timing of their relocation from 26 Endeavour Close. These negotiations are to consider the potential timing of the need for the sale proceeds, while also being cognisant of the Rainbow Region Dragon Boat Club needing storage facilities until the watercraft facility is constructed at Cawarra Park.
3. The General Manager is authorised to negotiate to identify an agreed compensation with the Unit Committee TS Lismore Inc, for the fixtures on the site that are not able to be relocated and that were funded by Unit Committee TS Lismore Inc members and volunteers.
4. That the outcomes of points two and three be reported back to Council for approval prior to implementation.
5. That Council confirms acceptance of the Transport for NSW Boating Infrastructure for Communities grants, of \$52,000 for the Brunswick Street Boat Ramp, and \$1.1m for the watercraft storage racks and facilities, as per the Cawarra Park Master Plan, noting that the grants require matching funding, with works to be completed by 30 June 2028.

FOR VOTE - All Councillors voted unanimously.

9.6 Ballina Byron Gateway Airport - Dividend Options

A **Motion** was moved by Cr Simon Kinny and seconded by Cr Therese Crollick

That Council notes the contents of this report in respect to the overall financial position of the Ballina Byron Gateway Airport, along with the options available to operate the Airport.

An **Amendment** was moved by Cr Therese Crollick and seconded by Cr Kiri Dicker

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/09/25 AT 9:00 AM**

That Council receive a further report on the benefits and costs of pursuing a revised business structure for the Ballina Byron Gateway Airport, with funding of \$40,000 approved to assist in those investigations.

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

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

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

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

FOR VOTE - All Councillors voted unanimously.

250925/12 RESOLVED

(Cr Simon Kinny/Cr Therese Crollick)

That Council notes the contents of this report in respect to the overall financial position of the Ballina Byron Gateway Airport, along with the options available to operate the Airport.

FOR VOTE - All Councillors voted unanimously.

9.7 Policy (Review) - New Model Code of Meeting Practice

250925/13 RESOLVED

(Cr Phil Meehan/Cr Damian Loone)

That Council approves the exhibition of the draft Code of Meeting Practice, as per Attachment 4 to this report.

FOR VOTE - All Councillors voted unanimously.

9.8 Policy (Review) - Property Investment and Development

250925/14 RESOLVED

(Cr Michelle Bailey/Cr Eva Ramsey)

1. That Council adopts the Property Investment and Development as attached to this report, inclusive of the following wording under the heading of Sustainability Implications

3.4 Governance

- *Council's preference is to sell any commercial real estate holdings by auction to maximise public transparency*

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40 CHERRY STREET BALLINA,
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- *Council will endeavour to offer all Ballina Shire real estate agencies the opportunity to sell or buy property on behalf of Council, to maximise equity in the marketplace.*
 - *Council will only sell commercial real estate holdings by private treaty, through a Council resolution, or, in the case of land initially auctioned and not sold, through selling prices, including a possible negotiation range, approved by Council resolution.*
 - *The commission paid to real estate agents will be set by Council resolution, or if no resolution is relevant to the sale, the maximum rate is to be 2.5%.*
 - *Council's preference is to pay 1.5% commission on industrial land, due to the limited supply of Council owned industrial land.*
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.

10. Civil Services Division Reports

10.1 Tender - Ballina Bridges Duplication - Construction

250925/15 RESOLVED

(Cr Kiri Dicker/Cr Erin Karsten)

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender (as amended as detailed in the above report) and awards the contract to Quickway Constructions for the Tender – Ballina Bridges Duplication – Construction for \$69,856,000 (excluding GST).
2. That Council authorises the General Manager to sign the contract documents.
3. The Council endorse, for budget purposes, a contingency sum for the project of 6% of the revised contract price.
4. That Council confirms the scope and funding for the project for 2025/26 and 2026/27, is as per Tables Ten and Eleven in this report.
5. That the Mayor make representations to the State and Federal Government to ensure that the \$8m in contingency funding is allocated as soon as possible and to also seek additional funding to ensure the completion of the project.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 25/09/25 AT 9:00 AM**

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6. Council endorses the changes to the scope of the project, the design and the construction methodology as detailed in the report, including the deferral of the North Creek Road works.
 7. That the Mayor and General Manager be authorised to sign and seal the framework deed to manage the land acquisition associated with the Aboriginal Land Claim previously reported to Council, subject to the framework deed complying with the current resolution of Council.
 8. That Council does not proceed with the resolution from the 24 April 2025 meeting to award to Quickway Constructions a contract for embankment construction and preloading at Tamarind Drive. Council records the reason for this decision is the proposal to use an alternate form of construction as per the information in the above report. This alternate form of construction is subject to the results from further geotechnical investigations. However, if required, it remains an option for the works proposed in the previous tender to be included in the contract in point one above instead of the alternate proposal, without a budget impact.

FOR VOTE - All Councillors voted unanimously.

10.2 Ballina Wastewater Treatment Plant - Back Up Generator

250925/16 RESOLVED

(Cr Damian Loone/Cr Eva Ramsey)

1. That Council note the contents of this report, including the information that there is a risk of licence breaches occurring at the Ballina Wastewater Treatment Plant, due to electricity supply interruptions.
2. That Council include a project in the current capital works program to replace the generators at the Ballina Wastewater Treatment Plant, including provision for a portable generator to be connected to the treatment plant as a back-up for the main generator. The estimated cost for this project is \$500,000 to \$600,000.
3. The funding for the project is to be sourced from Council's Wastewater cash reserve, with an allocation be included in the September 2025 Quarterly Budget Review.
4. That Council continue to seek assurances from the State Government and Reconstruction Authority that reimbursement of the cost of the project will be made to Council at the earliest opportunity once funding is made available.
5. That Council continue to make representations to the State Government and the NSW Reconstruction Authority to expedite the decision to make funding available for the project, and invite the Premier to visit Ballina Shire.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 25/09/25 AT 9:00 AM**

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6. That the representations note that Council has relied on the State Government's announced commitment to fund the project, and it is unreasonable for Council to incur the impacts of the cost escalation associated with the long delay to the project delivery when the State Government was responsible for this delivery.

FOR VOTE - All Councillors voted unanimously.

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

250925/17 RESOLVED

(Cr Sharon Cadwallader/Cr Damian Loone)

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

FOR VOTE - All Councillors voted unanimously.

13.2 Deputy Mayoral Meetings

250925/18 RESOLVED

(Cr Damian Loone/Cr Erin Karsten)

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

FOR VOTE - All Councillors voted unanimously.

13.3 Australian Coastal Councils Association Conference

250925/19 RESOLVED

(Cr Sharon Cadwallader/Cr Therese Crollick)

That Council notes the contents of this report on the 2025 Australian Coastal Councils Association Conference.

FOR VOTE - All Councillors voted unanimously.

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ON 25/09/25 AT 9:00 AM**

Cr Simon Kinny noted on the record a thank you from all Councillors for John Truman's 25 years of service to Council.

14. Confidential Session

Nil items

Public Question Time

The Mayor declared the meeting closed at 12.51pm for Public Question Time. There was one member of the gallery present.

MEETING CLOSURE

The meeting was closed at 12.51pm.

The Minutes of the Ordinary Meeting held on 25/09/25 were submitted for confirmation by council on 23 October 2025 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 23 October 2025.