

Agenda

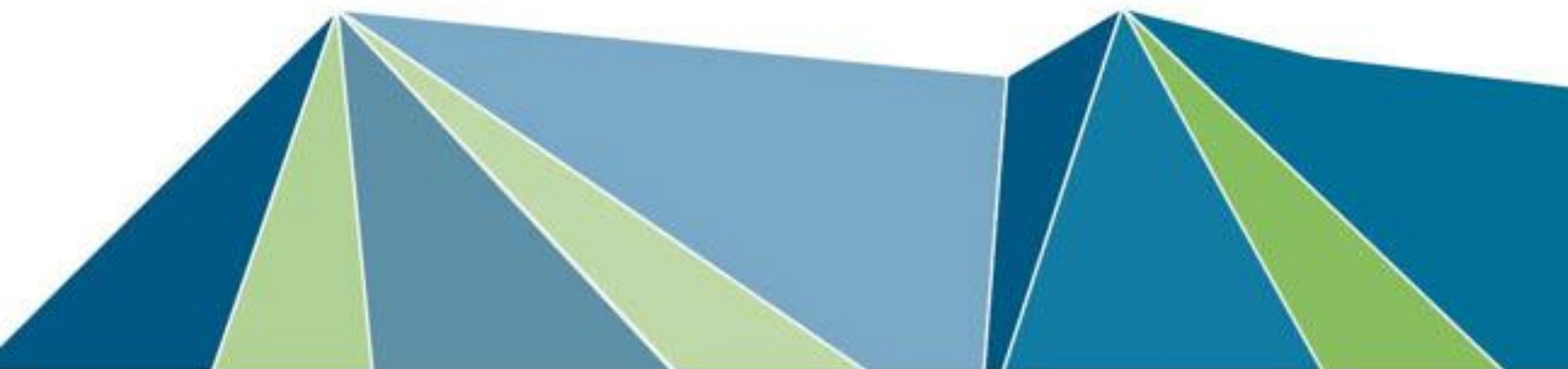
Extraordinary Meeting

13 April 2026

An Extraordinary Meeting of Ballina Shire Council will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **13 April 2026 commencing at 3:15 PM.**

1. Acknowledgement of Country
2. Apologies
3. Declarations of Interest and Reportable Political Donations
4. Reports

Paul Hickey
General Manager



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 (e.g. 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 (e.g. 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)

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.
- A person must not livestream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

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1. Acknowledgement of Country
 2. Apologies
 3. Declarations of Interest and Reportable Political Donations
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1. Acknowledgement of Country

In opening the meeting, the Mayor will provide an Acknowledgement of Country.

We acknowledge the Nyangbul peoples of the Bundjalung nation, the traditional custodians of the land on which we meet today and pay our respects to their Elders, past and present.

2. Apologies

3. Declarations of Interest and Reportable Political Donations

4.1 Notice of Motion - Cherry Street Sports Club - Ballina Croquet Club

4. Notices of Motion

4.1 Notice of Motion - Cherry Street Sports Club - Ballina Croquet Club

Councillor Cr Dicker
Cr Crollick

We, the undersigned Councillors, move the following motion:

That Council write to the Manager and Chair of Cherry Street Sports Club conveying their disappointment at the Club's recent decision to terminate access by the Ballina Croquet Club to the Cherry Street croquet lawns and urges them to reconsider their decision and ensure long term access to the lawns by both clubs.

*Cr Dicker
Cr Crollick*

Staff Comments

The following information was provided in a Councillor Bulletin issued 14 November 2025.

Council Management- Part of Hampton Park, Ballina

Previous Council reports relating to Hampton Park identified Crown Lands' intention to grant a direct lease over the croquet building and croquet lawns (Lot 5611 DP1282979), and an area inside the fencing of the existing Cherry Street Sports Club (Lot 560 DP1119965), to Ballina Bowling and Recreation Club Limited.

To facilitate that direct lease, Council would need to be removed as Crown Land Manager of the lots under the Crown Land Management Act.

This was last reported to Council at the August 2025 Ordinary meeting and Council resolved to issue a notice to Crown Lands resigning as Crown Land Manager of the lots.

Council's appointment as Crown Land Manager of the two lots was revoked on 14 November 2025.

Council was notified by Crown Lands on 14 November 2025 and the revocation was published in the NSW Government Gazette on 14 November 2025.

Council's licence to Ballina Bowling and Recreation Club Limited over the croquet building and croquet lawns ended on 14 November 2025, as Council is no longer the Crown Land Manager.

Crown Lands resumed responsibility for the management, care and control of the lots on 14 November 2025.

Any future leases over the lots will be granted by Crown Lands directly.

4.1 Notice of Motion - Cherry Street Sports Club - Ballina Croquet Club

Lot 5611 DP 1282979 is the key parcel of land being referenced in this notice of motion, with that parcel including the two croquet courts (Council also resigned as crown land manager for Lot 560 DP1119965).

Lot 5611, and Lot 560, were previously under the control of Council, albeit this was still crown land, with Council no longer responsible for the care and control of the site, and Crown Lands being responsible for leasing the land.

As further background to this, Council adopted the Hampton Park Reserve Master Plan in 2025, which provides a good overview of Hampton Park Reserve. A link to the Council website for that Master Plan is as follows.

[Hampton Park Reserve Master Plan | Your Say Ballina](#)

Page 5 of the Master Plan outlines the land ownership and control for Hampton Park Reserve, as at May 2025, and a copy of that page is included as Attachment 1.

The major difference now is that the hatched area, particularly Lot 5611, is identified as “Crown Land Managed by Council subject to application for transfer of management”, and that and now been transferred, and is no longer under the control of Council, as per the comments.

The Hampton Park Reserve Master Plan - 2025, superseded the May 2005 Hampton Park Plan of Management, and that Plan included a significant amount of information on the “European History” of Hampton Park, with the previous link to Council’s website, including a copy of that Plan.

Pages 21 to 25 of that Plan highlight the reserve values, as well as the cultural heritage of the site, and a copy of that reference material is included as Attachment 2.

There is a lengthy history of discussions between Ballina Croquet Inc, Crown Lands and the Cherry Street Sports Club (Ballina Bowling and Recreation Club Ltd), with Crown Lands providing an email to Council, dated 11 February 2026, that stated as follows, in respect to discussion in 2005:

In relation to past decisions, the Department notes that in 2005 the Club wrote to Minister for Lands expressing their agreement and support for the Ballina Bowling and Recreation Club Ltd (Bowling Club) to develop the current croquet facility for community use. However, due to subsequent disagreements with the Bowling Club, the Club has since been attempting to overturn this agreement. (Property Management Project Officer, North Coast, Crown Lands).

Recent discussions on this matter in Council, include the following 27 May 2021 resolution:

- 1. That Council in its capacity as Crown Land Manager for Crown Reserve D540004 provides a letter of support for the inclusion of Lot 560 DP 1119965 in a direct lease arrangement between the Department of Primary Industries & Environment – Crown and the Cherry Street Sports Club.*
- 2. That Council in its capacity as Crown Land Manager for Crown Reserve D540004 defers its decision on the inclusion of part Lot 561 DP1119965 in*

4.1 Notice of Motion - Cherry Street Sports Club - Ballina Croquet Club

a direct lease arrangement between the Department of Primary Industries & Environment – Crown and the Cherry Street Sports Club until the completion of the Hampton Park Management Plan review.

This resolution deferred any position on Lot 561 DP1119965 until the new Hampton Park Reserve Master Plan was adopted, which didn't occur until 2025. Lot 561 DP1119965 later became Lot 5611 DP11199665 because of a subdivision implemented by Crown Lands.

At the 28 November 2024 Ordinary meeting, Council considered a report seeking approval to exhibit the draft Hampton Park – Master Plan, with the subsequent resolution focusing more on access from Moon Street. A copy of that resolution is as follows:

- 1. That Council place the draft Master Plan Report for Hampton Park, as per Attachment 5 to this report and inclusive of access from Moon Street based on Option D, on public exhibition, for at least four weeks, to invite further community feedback.*
- 2. That the public exhibition phase of the draft master plan include direct engagement with the Cherry Street Sports Club and other existing user groups regarding the use, configuration and management of the vehicular access between Burnet Street and the rear of the Sports Club.*

The report associated with that resolution also included the following statement, which references the earlier mentioned subdivision, as well as highlighting that Crown Lands was planning to transfer the management of the croquet court land.

In 2022, NSW Crown Lands implemented a subdivision of the land that created a separate lot associated approximately with the existing croquet courts. This occurred to support a future planned transfer of management of the land with the croquet courts from Council's management to a direct lease between NSW Crown Lands and the Cherry Street Sports Club.

Council next received a report on the public exhibition of the draft Hampton Park Master Plan, at the 22 May 2025 Ordinary meeting and resolved as follows:

- 1. That Council adopts the revised Hampton Park Master Plan, as per Attachment 4 to this report, for implementation, subject to the points below*
- 2. That Council undertakes the applicable procedural steps to amend the Plan of Management for Community Land to incorporate Hampton Park and the Hampton Park Master Plan.*
- 3. That Council works with the Cherry Street Sports Club in relation to provision of car parking on Hampton Park along the Moon Street entry road.*
- 4. That the additional hard courts are not dual line marked for pickleball.*

4.1 Notice of Motion - Cherry Street Sports Club - Ballina Croquet Club

In reviewing the adopted Hampton Park Reserve Master Plan, as per Attachment 1 to this report, there is a statement confirming that Lot 5611 was subject to application for transfer of management (page 5).

The adopted Plan also recognises the complexities associated with croquet, including the following statements, on page 8, in respect to the key messages received during the consultation:

Croquet and tennis aspire to expand their facilities, citing demand, more court time and a desire to grow the sport and diversify sporting competition and participation

Croquet and tennis aspire to expand their facilities

One of the croquet clubs seeks autonomy and autonomous facilities.

Page 10 of the adopted Plan also states that it is not possible to fit all the facilities desired by the community into the available space; and Council will investigate options for Treelands Reserve, as part of a master planning process, which has commenced, as well as the feasibility of additional croquet courts at Gap Road, Alstonville.

In respect to Gap Road, the 31 December 2025 review of Council's Delivery Program and Operational Plan, included the following statement:

Preliminary design works following stakeholder consultation have identified that a second croquet court is not suitable for construction at the existing location due to space constraints. Progressing a broader master plan of the Gap Road facility to identify suitable locations for an expanded croquet facility as well as consideration for other sporting needs.

Council did resolve to resign as Crown Manager, for Lot 560 DP 1119965 and Lot 5611 DP1282979, at the 28 August 2025 Ordinary meeting, through the Use of Seal report, with the use of seal reference being US202519.

The explanation included in the Use of Seal report was follows:

Previous Council reports relating to Hampton Park Ballina have identified Crown Lands' intention to grant a direct lease over the croquet building and croquet lawns (Lot 5611 DP1282979), and an area inside the fencing of the existing Cherry Street Sports Club (Lot 560 DP1119965), to Ballina Bowling and Recreation Club Limited. Council is currently the appointed Crown Land Manager of these two parcels.

Council resolved at the May 2021 Ordinary Meeting (270521/15):

- 1. That Council in its capacity as Crown Land Manager for Crown Reserve D540004 provides a letter of support for the inclusion of Lot 560 in DP1119965 in a direct lease arrangement between the Department of Primary Industries & Environment – Crown and the Cherry Street Sports Club.*
- 2. That Council in its capacity as Crown Land Manager for Crown Reserve D540004 defers its decision on the inclusion of part Lot 561 DP1119965 in a direct lease arrangement between the Department of Primary Industries*

4.1 Notice of Motion - Cherry Street Sports Club - Ballina Croquet Club

& Environment – Crown and the Cherry Street Sports Club until the completion of the Hampton Park Management Plan review.

Crown Lands has now requested that Council provide a written request to resign its appointment as Crown Land Manager of these two parcels (noting that the part of Lot 561 DP1119965 referred to in the above resolution is now Lot 5611 DP1282979). The resignation will facilitate a direct lease by Crown Lands to the Club. The date of resignation will coincide with the date the direct lease is executed by Crown Lands/the Minister's delegate.

If Council decided not to issue this notice, the Minister still has the power under the Crown Land Management Act to remove Council as the Crown Land Manager. The Minister does not need Council's consent.

For this reason, the recommendation is to proceed to issue the notice to Crown Lands requesting to resign as Crown Land Manager of both lots."

The use of Lot 5611 is now a matter for Crown Lands, who confirmed by email dated 9 October 2025, as follows:

Please note, Department of Planning, Housing and Infrastructure, Crown Lands has provided an offer of Lease to Ballina Bowling and Recreation Club Ltd over Crown Lands at Hampton Park, Ballina which has been accepted by the Club.

At this stage, the Department has arranged for the execution of the Lease to be progressed in early to mid November 2025.

As advised, upon the granting of the new Lease Ballina Shire Council to be removed as the appointed Crown land manager of part of Dedication (D540004), being Lot 560 DP 1119965 and Lot 5611 DP 1282979.

Property Management Project Officer, North Coast, Crown Lands

This matter is now out of Council's control, with Crown Lands and the Cherry Street Sports Club, being responsible for the management of the land.

COUNCILLOR RECOMMENDATION

That Council write to the Manager and Chair of Cherry Street Sports Club conveying their disappointment at the Club's recent decision to terminate access by the Ballina Croquet Club to the Cherry Street croquet lawns and urges them to reconsider their decision and ensure long term access to the lawns by both clubs.

Attachment(s)

1. Hampton Park Reserve Master Plan 2025 - Extract - Page 5 - Land Ownership and Control [⇨](#)
2. Hampton Park Plan of Management 2005 - Extract - Pages 21 to 25 - Reserve Values [⇨](#)

5. Confidential Session

5. Confidential Session

Nil Items