

Agenda

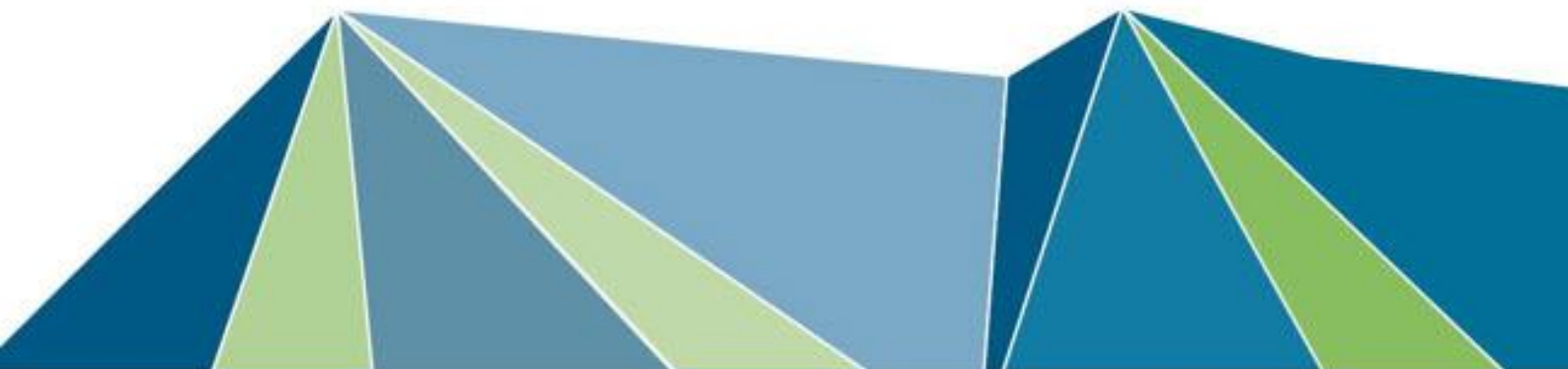
Ordinary Meeting **23 April 2026**

An Ordinary Meeting of Ballina Shire Council will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **23 April 2026 commencing at 9:30 AM.**

1. Australian National Anthem
2. Acknowledgement of Country
3. Apologies
4. Confirmation of Minutes
5. Declarations of Interest and Reportable Political Donations
6. Mayoral Minutes
7. Planning and Environmental Health Division Reports
8. Corporate and Community Division Reports
9. Civil Services Division Reports
10. Notices of Motion
11. Advisory Committee Minutes
12. Reports from Councillors on Attendance on Council's behalf
13. Confidential Session

Paul Hickey
General Manager

A morning tea break is taken at 10.30am and a lunch break taken at 1.00pm.



Ethical Decision Making and Conflicts of Interest

A guide for Councillors, Council employees and community representatives

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of Interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to yourself or another person or entity defined in part 4 of the Council's Code of Conduct, with whom you are associated.
- **Non-pecuniary** – a private or personal interest that you have that does not amount to a pecuniary interest as defined in the Council's Code of Conduct.

These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.

The test for a conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- It is important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- Do I have private interests affected by a matter I am officially involved in?
- Is my official role one of influence or perceived influence over the matter?
- Do my private interests' conflict with my official role?

Disclosure and participation in meetings

Pecuniary Interests

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council or Committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - A person does not breach this clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests

Must be disclosed in meetings. There are a broad range of options available for managing non-pecuniary interests and the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary interests must be dealt with in one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (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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 6. Mayoral Minutes
-

1. Australian National Anthem

The National Anthem will be played.

2. 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.

3. Apologies

4. Confirmation of Minutes

A copy of the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 26 March 2026 were distributed with the business paper.

A copy of the Minutes of the Extraordinary Meeting of Ballina Shire Council held on Monday 13 April 2026 were distributed with the business paper.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 26 March 2026.

That Council confirms the Minutes of the Extraordinary Meeting of Ballina Shire Council held on Monday 13 April 2026.

5. Declarations of Interest and Reportable Political Donations

6.1 Mayoral Minute - Finish the Northern Rivers Rail Trail

6. Mayoral Minutes

6.1 Mayoral Minute - Finish the Northern Rivers Rail Trail

Councillor

Sharon Cadwallader

I move:

That Council supports the current promotion being undertaken by the Northern Rivers Rail Trail Supporters, to finish the Northern Rivers Rail Trail, by supporting the campaign through Council's Community Connect magazine and Social Media Platforms.

Mayor's Comments

The Northern Rivers Rail Trail Supporters are undertaking a promotional program to encourage people to add their name to a petition / website to highlight the importance of completing the Northern Rivers Rail Trail, especially now that Byron Shire Council has resolved to support the completion of the missing link through Byron Shire.

An example of the promotional material currently available is as per Attachment 1.

The completion of the rail trail will require State and Federal Government grant funding, along with support from throughout the entire region, to help the proponents in their efforts to seek grant funding.

There is negligible cost in adding additional information to Council's Community Connect magazine and Social Media Platforms.

RECOMMENDATION

That Council supports the current promotion being undertaken by the Northern Rivers Rail Trail Supporters, to finish the Northern Rivers Rail Trail, by supporting the campaign through Council's Community Connect magazine and Social Media Platforms.

Attachment(s)

1. Northern Rivers Rail Trail Supporters - Finish the Rail Trail [⇒](#)

6.2 Mayoral Minute - Opposition to Crown Land Management Amendment (Statutory Review) Bill 2026

6.2 Mayoral Minute - Opposition to Crown Land Management Amendment (Statutory Review) Bill 2026

Councillor Sharon Cadwallader

I move:

That Council:

1. Notes the introduction of the *Crown Land Management Amendment (Statutory Review) Bill 2026*, which proposes significant amendments to the Crown Land Management Act 2016 arising from the statutory review.
2. Notes with serious concern that the Bill:
 - Enables the transfer of financial risk and legal liability from the State Government to local councils.
 - Provides for the retrospective transfer of native title compensation liabilities and civil liabilities.
 - Expands Ministerial powers to direct councils and impose obligations without adequate consultation.
 - Introduces additional reporting, compliance and administrative requirements.
 - Has been developed with an absence of genuine consultation with local government, despite direct and significant impacts.
3. Recognises that the Bill enables:
 - The automatic transfer of assets, rights and liabilities associated with Crown land management to councils in certain circumstances.
 - Increased Ministerial direction and intervention powers, including performance directions and compliance requirements.
 - Expanded regulatory controls via rules and regulations determined by the Minister, with limited local input.
4. Considers that the Bill represents a significant cost shifting exercise, whereby:
 - Local government is required to assume State responsibilities without commensurate funding.
 - Councils and ratepayers are exposed to unquantified, ongoing and potentially retrospective liabilities.
 - Councils may be held accountable for historic decisions made under State frameworks, direction or control.
5. Calls on the NSW Government to:
 - Withdraw the Bill pending proper consultation.
 - Undertake genuine, good-faith consultation with local government, including regional and rural councils.
 - Ensure any future amendments:
 - Do not transfer financial or legal liability to councils without full funding and indemnity.
 - Provide certainty regarding native title and compensation exposure.
 - Include clear limits on Ministerial powers affecting council operations.

6.2 Mayoral Minute - Opposition to Crown Land Management Amendment (Statutory Review) Bill 2026

6. Requests that:

- This Notice of Motion be forwarded to:
 - The NSW Premier
 - The Minister for Lands and Property
 - The Local Member for Ballina
 - Local Government NSW (LGNSW)
 - The Country Mayors Association of NSW
 - The Leader of the NSW Opposition and the Shadow Minister for Crown Lands
- LGNSW and CMA advocate strongly for the withdrawal and revision of the Bill.

Mayor's Comments

The proposed *Crown Land Management Amendment (Statutory Review) Bill 2026* introduces wide-ranging changes to the governance and management of Crown land in New South Wales.

While framed as a statutory review, the Bill contains provisions that significantly alter the risk profile and responsibilities of local government, including:

- The transfer of liabilities
- Expanded compliance obligations
- Increased Ministerial control over council functions

These changes create a fundamental shift of responsibility from the State to councils, exposing local government to:

- Retrospective financial and legal risks, particularly in relation to native title
- Increased administrative burden
- Obligations not matched with funding or resourcing.

For regional councils such as Ballina Shire, these impacts are amplified by:

- Limited revenue capacity
- High infrastructure and service delivery costs

Existing financial pressures across the sector. Notes further that such changes:

- Exacerbate the existing financial sustainability challenges faced by regional and rural councils
- Place additional pressure on ratepayers in communities with limited revenue bases
- Undermine the principle that responsibility must be matched with funding and risk retained at the appropriate level of government
- Opposes the Bill in its current form

Accordingly, the Bill represents a clear example of cost shifting, transferring risk and responsibility to local government without the safeguards required to manage them sustainably.

RECOMMENDATION

That Council:

1. Notes the introduction of the *Crown Land Management Amendment (Statutory Review) Bill 2026*, which proposes significant amendments to the Crown Land Management Act 2016 arising from the statutory review.
2. Notes with serious concern that the Bill:
 - Enables the transfer of financial risk and legal liability from the State Government to local councils.
 - Provides for the retrospective transfer of native title compensation liabilities and civil liabilities.
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- The Leader of the NSW Opposition and the Shadow Minister for Crown Lands
- LGNSW and CMA advocate strongly for the withdrawal and revision of the Bill.

Attachment(s)

Nil

7.1 DA 2025/525 - Alterations and Additions - 10 Hayman Street - Ballina

7. Planning and Environmental Health Division Reports

7.1 DA 2025/525 - Alterations and Additions - 10 Hayman Street - Ballina

Applicant	Department of Community and Justice
Property	Lot 1 DP1181025, 10 Hayman Street, West Ballina
Proposal	To undertake alterations and additions to an existing centre-based childcare and community facility (Bunjum Aboriginal Child and Family Centre) and extension of a driveway to create a new crossover and a bus drop off/pick up area.
Effect of Planning Instrument	The land is zoned RE1 Public Recreation under the provisions of the Ballina LEP 2012

Introduction

Council is in receipt of Development Application 2025/525 (DA) which seeks consent to undertake alterations and additions to an existing centre-based childcare and community facility (Bunjum Aboriginal Child and Family Centre), and extension of the existing driveway to create a new crossover and a bus drop-off / pick up area, involving the removal of one car parking space.

The key planning issues associated with the DA include:

- vehicular access and on-site car parking
- flooding impact
- impact on an existing Broad Leaved Paperbark tree, and
- consistency with Council's Principal Generic Plan of Management.

This report provides a brief assessment of the key planning issues associated with the DA.

A full and more detailed assessment of the DA against the relevant matters for consideration under Section 4.15 of the EP&A Act 1979 is included as Attachment 1 to this report.

The proposed development is classified as a Crown Development Application under Section 4.33 of the EP&A Act 1979, as it is proposed by a Public Service agency, being the NSW Department of Community Justice.

The DA is being reported to an Ordinary meeting for determination in accordance with Council's Conflicts of Interest for Council Related Development Applications Policy, as Council owns the land.

Development History and Background

DA 2011/359 was approved by Council on 15 December 2011 for an Aboriginal Child and Family Centre facility comprising:

- centre based childcare facility (59 children)
- community facility (providing services such as family support, parenting programs, playgroups, health services and early childhood nurse services for Aboriginal children and children from low socio-economic backgrounds)
- 21 space parking area and associated landscaping, and
- subdivision of the site for lease purposes.

The development is known as Bunjum Aboriginal Child and Family Centre and is one of several Aboriginal Child and Family Centres (ACFC) located across NSW.

ACFC's are envisaged as welcoming places for Aboriginal people that provide and coordinate culturally relevant and safe early childhood and care, parent and family support and early childhood health services.

The subdivision approved under DA 2011/359 was undertaken in 2013 to facilitate a long-term lease of the Bunjum Aboriginal Child and Family Centre to NSW Department of Community and Justice (formerly NSW Department of Family and Community Services).

The NSW Department of Communities and Justice constructed the building on the Council owned community land and is responsible for all repairs and maintenance of the building.

As part of the ACFC Expansion and Enhancement Program, the Department of Communities and Justice is upgrading existing ACFCs across NSW, including the Bunjum Aboriginal Child and Family Centre in Ballina.

Description of the Site and Surrounds

The site (10 Hayman Street, Ballina) is irregular in shape, has an area of 3,580m² and a relatively flat topography.

The site contains an existing single storey building, which houses the Bunjum Aboriginal Child and Family Centre, and includes a 21 space at grade car park, outdoor play areas and decks and associated landscaping and ancillary structures.

The site is located within a residential estate and is directly adjoined by Porter Park to the west and south.

Figures 1 and 2 provide aerial views, as follows.



Figure 1 – Aerial view of the subject land



Figure 2 – Aerial view of the subject land and surrounding locality

Description of the Proposed Development

The DA seeks consent to undertake alterations and additions to an existing centre-based childcare and community facility building (Bunjum Aboriginal Child and Family Centre) and the proposed extension of the existing driveway to create a new crossover and a bus drop off / pick up area involving the removal of one car parking space.

The proposed building alterations and additions specifically involve:

- the demolition of an existing deck
- the internal conversion of part of the existing community facility to create of a new breakout room, storeroom and staff toilet for the centre based childcare facility
- a northern addition to the building to create a new community / technology hub room, new kitchen and new covered outdoor deck for the community facility. The proposed addition results in a net increase in floor area of 97.3m².

The alterations to the centre-based childcare facility component of the building seek to provide improved facilities and will not result in any increase to the number of childcare places or the number of staff.

Similarly, the alterations and additions to the community facility component of the building provide larger and improved facilities in which to undertake the existing approved programs and services and will not result in any increase in staff numbers.

Consistent with the design of the existing building, the addition proposes a skillion-style roof with no eaves.

The selected materials for the proposed extension include metal wall cladding, metal roofing and glazed windows and bi-fold doors. The metal cladding is proposed to be a spotted gum colour, to provide a timber look and the metal roofing is proposed to be a light colour to match the existing roof.

No trees or other vegetation are proposed to be removed to facilitate the proposed development.

Some additional works are being conducted as part of the centre's improvements, including a new auto sliding security gate to prevent access to the car park after hours and the relocation of an existing business identification sign.

These works do not form part of the DA as they are exempt from requiring development consent under the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Figures 3 to 7 are extracts from the plan set that provide an overview of the proposed works and building form.

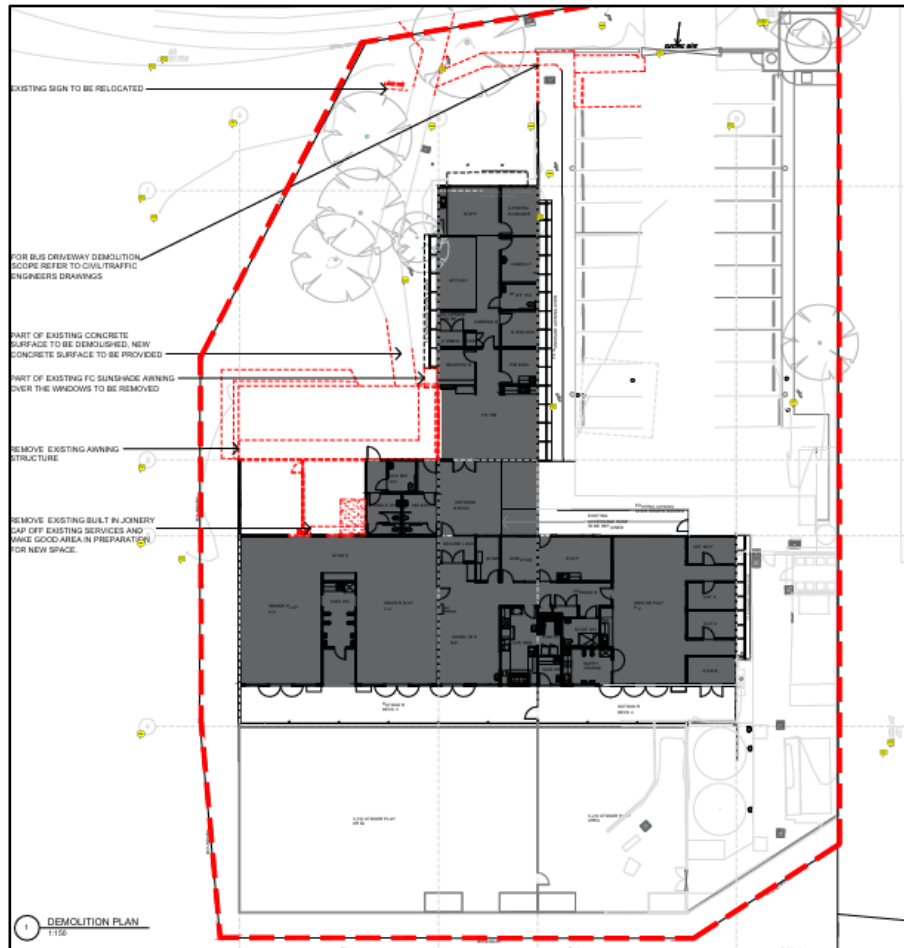


Figure 3 – Demolition plan

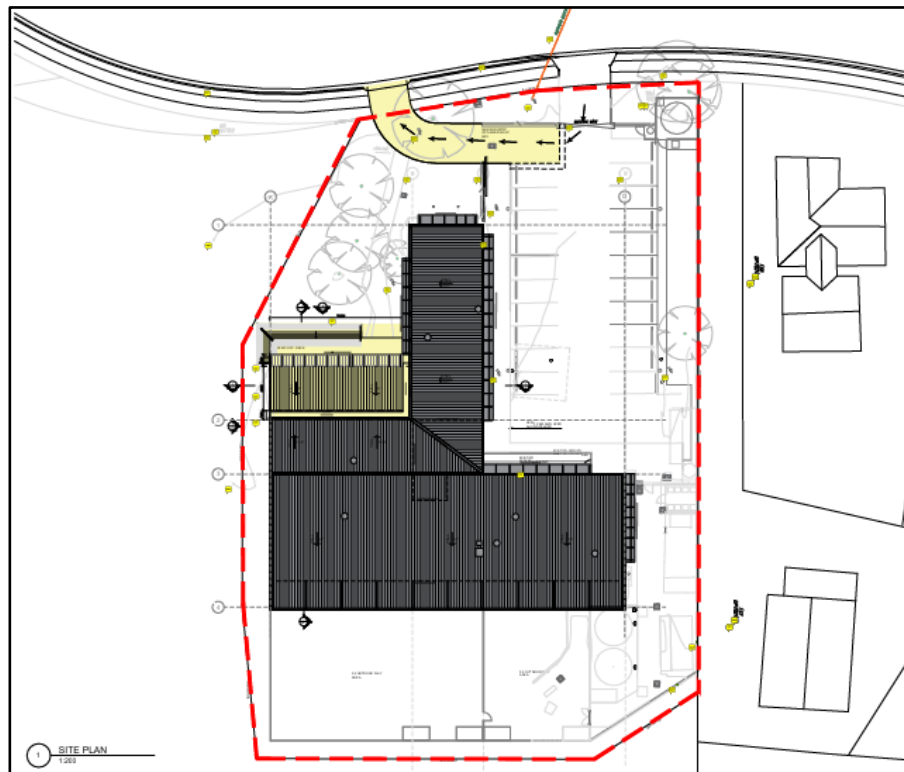


Figure 4 – Proposed Site Plan



Figure 7 – Photomontage of the proposed alterations and additions when viewed from the north-west.

A full copy of the DA plans is included as Attachment 2 to this report.

Reportable Political Donations

Details of known reportable political donations are as follows:

- Nil

Public Exhibition

The DA was placed on public exhibition in accordance with the requirements of the EP&A Act 1979 and Council's Community Participation Plan. In response to the public exhibition, no submissions were received.

Applicable Planning Instruments

The proposed development is subject to the Ballina Local Environmental Plan 2012 (LEP), the Ballina Shire Development Control Plan 2012 (DCP) and several relevant State Environmental Planning Policies.

Report

The proposed development has been assessed under the heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979. The assessment has identified the following key issues in relation to this development application.

This report should be read in conjunction with the full assessment of the proposal against statutory provisions applying to the proposal set out in the 4.15 Assessment Report provided in Attachment 1.

Ballina Local Environmental Plan 2012 (BLEP)

The uses within the development the subject of the alterations and additions are classified as a 'centre-based childcare facility' and a 'community facility' under the provisions of the BLEP.

The site is zoned RE1 Public Recreation under the provisions of the BLEP.

Both 'centre-based childcare facilities' and 'community facilities' are permitted with consent in the RE1 Public Recreation zone.

The objectives of the RE1 Zone are listed as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To provide for a diversity of development that meets the social and cultural needs of the community.*
- *To provide for public access to open space and natural recreation areas.*
- *To protect and conserve landscapes in environmentally sensitive areas, particularly in foreshore and visually prominent locations.*
- *To provide for development that is consistent with any applicable plan of management.*
- *To encourage development that achieves the efficient use of resources such as energy and water.*

The proposal is consistent with the objectives of the RE1 Zone, in particular:

- The existing approved use of the building (community facility and centre-based childcare centre) is compatible with the adjacent Porter Park (Objective 2)
- The existing approved use of the building meets the social and cultural needs of the community (Objective 4)
- The development is consistent with Council's plan of management for community land (Objective 7).

Vehicular Access

The proposed development includes the extension of the existing driveway to create a new access onto Hayman Street, and a minibus drop off/pick up area.

The new driveway access onto Hayman Street is assessed as having adequate site distances to safely service the proposed development.

7.1 DA 2025/525 - Alterations and Additions - 10 Hayman Street - Ballina

A swept-path assessment has been provided as part of the DA and demonstrates that a small light vehicle (minibus) can adequately access, park and exit the drop off/pick up area.

On-Site Car Parking (Chapter 2 of the Ballina DCP)

Centre Based Childcare Facility

The parking requirement for a childcare centre is one space per four children plus drop off / pick up area under Chapter 2 of the Ballina DCP.

The DA does not increase the number of children at the childcare centre and the alterations to this component of the development does not require any additional on-site parking.

Community Facility

Chapter 2 of the Ballina DCP states that the parking requirement for a community facility is to be determined following a merit-based assessment.

In considering the merits, Council's Development Engineer has deemed the operation of the proposed addition to the community facility (community / technology hub room, new kitchen) consistent with that of an office premise.

As detailed in the following table, when applying the parking rate for an office premise, the proposed development would require the provision of an additional 2 spaces.

Use	Proposed GFA	Parking Spaces
Office Rate		
One space per 40m ² of GFA	63 m ²	1.6
	Total	2 spaces

The DA does not include any new parking spaces and converts one of the existing parking spaces to a bus drop off / pick up area, resulting in a numerical shortfall of three car spaces.

The proposed shortfall of three car spaces is assessed as being acceptable in the circumstances for the following reasons:

- the proposed alterations and additions seek to provide improved facilities in which to undertake existing community programs and services and does not propose to intensify the use or increase staff numbers
- the proposed mini-bus drop-off / pick up aisle provides for a more functional bus service that is considered to reduce demand on standard car parking spaces
- the bus drop-off / pick up area will double as a parking space for the minibus, effectively removing that vehicle from the existing parking spaces where it currently parks and reducing the parking shortfall to two spaces.
- the applicant states that the hours of use of the community hub are complementary to the childcare centre, as the community programs generally operate between the hours of 9am and 2pm, which is outside the peak drop off and pick up times for the childcare centre.

Flood Impact (Chapter 2B – Floodplain Management of the Ballina DCP)

The site is located in the Medium Flood Risk precinct under Chapter 2B of the DCP.

Community Facility

Under the prescriptive measures of this chapter, the community facility component of the development is deemed to fall within the 'Commercial' land use category and is subject to a required floor level of 2.4m AHD (FPL2 + 0.2m).

The alterations and additions are proposed to be constructed at 2.6m AHD, which is the same floor level as the existing building, and exceeds with the required floor level of 2.4m AHD.

Centre Based Childcare Facility

Under the prescriptive measures of this chapter, Centre Based Childcare facilities are listed within the 'Residential' land use category and is subject to a required floor level of 2.7m AHD (FPL2 + 0.5m).

The alterations to convert part of the existing community facility into additional rooms for the centre based childcare facility are all internal and will remain at the existing finished floor level of the building (2.6m AHD), which is 100mm lower than the required floor level of 2.7m AHD.

Given that the works are entirely internal, it is unreasonable and impractical to require the relevant portion of the building to be raised by 100mm.

This is particularly so as the proposed alterations are intended to improve existing facilities only and will not result in an increase in the approved number of childcare places or staff.

Accordingly, the proposal will not increase the intensity of use or the flood risk associated with the development.

Further, while childcare centres are listed under the 'Residential' category within this chapter of the DCP, they differ from residential accommodation in that they do not provide overnight stays.

In this respect, a childcare centre is more appropriately characterised as a form of non-residential or commercial development, for which a 0.2m freeboard applies, rather than the higher 0.5m freeboard.

A more recent childcare centre approved in Ballina was permitted with a 0.2m freeboard rather than a 0.5m freeboard.

Having regard to the above, the construction of the proposed internal alterations at the existing floor level is considered reasonable, supported on planning merit, and not inconsistent with the objectives of Chapter 2B of the DCP.

Other Flood Controls

The proposed development complies with the other relevant flood controls of this chapter of the DCP in relation to minimum fill level, building components and methods, structural soundness and car parking. In this regard, a condition will be applied that the proposed alterations and additions below the 2.7m AHD (FPL2 + 0.5m) are to be constructed using flood compatible materials.

Impact on Existing Broad Leaved Paperbark Tree (Chapter 2A Vegetation Management of the Ballina DCP)

The DA does not seek consent for the removal of any trees however the submitted plans illustrate the proposed extension of the driveway is located approximately 250mm from the trunk of an existing *Melaleuca quinquenervia* (Broad Leaved Paperbark) at the front of the site.

As the proposed driveway is situated within both the Structural Root Zone (SRZ) and the Tree Protection Zone (TPZ) of the existing Broad-Leaved Paperbark, the development is likely to adversely affect the tree's health.

In seeking to mitigate the impact upon the tree, the applicant advised that mitigation measures will be implemented in the detailed design of the driveway to protect the tree's root zone, including:

- modifying driveway levels to reduce excavation near the tree
- realigning the driveway further away from the tree and
- adopting a pavement type that supports tree health, such as permeable paving.

Given the proximity of the proposed driveway to the existing tree, it is unclear whether the driveway can be reasonably and practically redesigned to both accommodate the bus drop-off and pick-up area and safeguard the tree's long-term health.

Should the driveway not be able to be reasonably redesigned, there is no objection to the removal of the existing Broad Leaved Paperbark, given its removal is not considered to constitute a significant impact and there is ample opportunity for five off-set plantings (as required by Chapter 2A of the Ballina DCP) on the site or on the adjoining public reserve (Porter Park).

In these circumstances, a condition of consent requiring one of the following was proposed to the applicant:

1. that the design of the proposed driveway extension be amended to ensure the retention and protection of the existing Broad Leaved Paperbark tree, supported by certification by a suitably qualified Level 5 Arborist confirming that the amended design will adequately protect the tree's health and long-term viability, or
2. where it is demonstrated, to the satisfaction of Council, that the driveway cannot reasonably be redesigned to retain the Broad Leaved Paperbark tree in-situ, that the removal of the tree be permitted, subject to being off-set with the planting of five new native trees on-site or on the adjacent public reserve (Porter Park).

7.1 DA 2025/525 - Alterations and Additions - 10 Hayman Street - Ballina

During consultation on draft conditions of consent (noting the development is Crown Development), the Crown's representative wrote to Council advising that should removal of the Broad-Leaved Paperbark tree be necessary, that the requirement for the planting of five compensatory trees was onerous and requested that this ratio be reduced.

Following discussions with Council's Ecologist, it was agreed that a reduced ratio of three to one was reasonable in the circumstances, given the Broad-Leaved Paperbark is a common native species found in the Ballina Shire and that there are three other existing mature Broad Leaved Paperbark trees being retained in the front setback of the site.

Council's Plan of Management for Community Land (POM)

The subject land is owned by Council and is classified as 'community land' for the purposes of the Local Government Act 1993 (LG Act).

In accordance with the LG Act, the 'community land' is categorised for 'General Community Use'. Section 35 of the LG Act requires all community land be used and managed in accordance with the plan of management applying to the land, which in this case is Ballina Shire Council's Plan of Management for Community Land (POM).

In relation to the subject land, the POM includes the following special provisions:

SUBURB	PARK NAME ADDRESS	LAND REGISTER NO.	GATE GORY	IMPROVEMENTS	HISTORY	CONDITION	AUTHORISED OCCUPATION	AUTHORISED USES
WEST BALLINA	BALLINA ABORIGINAL CHILD & FAMILY CENTRE 10 Hayman Ave, West Ballina Lot 1 DP 1181025	2101704	GCU	Community building	Current improvements approved in DA 2011/359.	Excellent	Exclusive occupation of site by organisation appointed with responsibility for care, control and management of child and family centre.	Community facilities comprising childcare centre and family support centre in accordance with development consent (DA 2011/359). Alterations and additions to existing building permitted subject to development consent requirements.

As detailed in the table, the authorised uses of the subject land are:

- Community facilities comprising childcare centre and family support centre in accordance with development consent (DA 2011/359).
- Alterations and additions to existing building permitted subject to development consent requirements.

The proposed development is consistent with the above provisions of the POM in that it relates to alterations and additions to the existing community and childcare centre facility approved under DA 2011/359.

Options

Option 1 – Approve the Application

Council can approve the DA subject to subject to non-standard conditions set out in Attachment 3 and standard planning, environmental health, civil and building conditions for this type of development.

Pursuant to section 4.33(1)(b) of the EP&A Act, a consent authority (other than the Minister) must not impose a condition on its consent to a Crown DA, except with the approval of the applicant or the Minister.

7.1 DA 2025/525 - Alterations and Additions - 10 Hayman Street - Ballina

In this regard, Council has obtained the written approval of the applicant (Department of Community and Justice) to the proposed conditions of consent.

This is the recommended approach.

Option 2 – Refer the DA to the Northern Regional Planning Panel

Pursuant to section 4.33(1)(a) of the EP&A Act, Council must not refuse its consent to a Crown development application, except with the approval of the Minister.

Section 4.33(2A) of the EP&A Act further states that a Crown DA for which the consent authority is a council must not be referred to the Minister unless it is first referred to the applicable planning panel.

In accordance with the above, if the Council were of a mind to not support the development, then the DA would need to be referred to the Northern Regional Planning Panel with the report setting out the recommended reasons for refusal.

Refusal of the DA is not recommended.

Conclusion

The existing Bunjum Aboriginal Child and Family Centre (childcare centre and community facility) provides important social and cultural services for the local Aboriginal community.

The DA comprises modest alterations and additions to the existing centre that provide for improved facilities and does not propose to intensify the use or increase staff numbers.

The proposed development is assessed as being suitable for the site and in the public interest, and it is therefore recommended that the DA be approved, subject to non-standard conditions set out in Attachment 3 and standard planning, environmental health, civil and building conditions for this type of development.

RECOMMENDATION

That Council grants consent to Development Application 2025/525 to undertake alterations and additions to an existing centre based childcare and community facility (Bunjum Aboriginal Child and Family Centre) and the extension of the driveway to create a new crossover and a bus drop off/pick up area at 10 Hayman Street, Ballina, subject to non-standard conditions set out in Attachment 3 of this report and standard planning, environmental health, civil and building conditions for this type of development.

Attachment(s)

1. DA 2025/525 - Development Assessment Report under s4.15(1) of the EP&A Act [⇨](#)
2. DA 2025/525 - Development Application Plans [⇨](#)
3. DA 2025/525 - Non-Standard Conditions [⇨](#)

7.2 Local Strategic Planning Statement - SUGA Site Review

7.2 Local Strategic Planning Statement - SUGA Site Review

Section	Strategic Planning
Objective	To provide site information on three strategic urban growth areas in relation to their inclusion within the Ballina Shire Local Strategic Planning Statement.

Background

At Council's Environmental and Sustainability Committee meeting held 11 March 2026, a revised Ballina Shire Local Strategic Planning Statement (LSPS) was considered.

The Committee recommended adoption of the LSPS, subject to several amendments outlined within the report.

The Committee also recommended (Item 1(h)) that three Strategic Urban Growth Areas (SUGAs) be removed and that they be reported back to Council for further examination.

The minutes of the committee meeting can be found [here](#).

At the 26 March 2026 Ordinary meeting, the recommendation of the Committee was amended in relation to item 1(h).

The resolution of Council from that meeting was as follows:

That prior to finalising the Local Strategic Planning Statement, Council receive a further report at the April 2026 Ordinary meeting on the following SUGAs:

- i. Precinct B North Kinvara*
- ii. Precinct C Cumbalum*
- iii. West Lennox Palms, Lennox Head.*

By way of context, these three areas were recommended for removal or refinement in 2022 reporting to Council relating to a review of all SUGAs across the shire.

The specific recommendations at that time were as follows:

- Area #1 North Kinvara (part of Precinct B) – refine to remove the area north of Ross Lane
- Area #4 Cumbalum (Precinct C) - remove, and
- Area #14 West Lennox Palms - remove.

In determining its preferred approach to SUGAs at the time, Council resolved to wholly retain the three areas listed above.

As a result, these areas were identified as potential residential growth areas in the recently exhibited draft Local Strategic Planning Statement.

7.2 Local Strategic Planning Statement - SUGA Site Review

In response to the March 2026 resolution of Council, this report provides site information for each of the listed SUGAs.

A decision of Council is required on whether these sites are included or excluded as potential residential growth areas within the LSPS before the LSPS is finalised in accordance with the resolution made at the 26 March 2026 ordinary meeting.

Key Issues

- Suitability of specific sites for investigation for future urban development
- Long-term demand and supply for greenfield residential sites
- Resource allocation to investigation areas

Discussion

During 2022, Council undertook a process to review all the Strategic Urban Growth Areas (SUGAs).

Prior to the most recent draft LSPS, SUGAs have been identified in the Ballina Shire Growth Management Strategy (LGMS) (with the LGMS now being integrated into the LSPS).

Designation as a SUGA is a policy-based indication that land is considered suitable for investigation with respect to its urban development potential.

It does not mean that the land will be rezoned in full or in part for urban development.

Rather it signals Council is open to receiving information and proposals that seek to investigate and advance an urban development outcome on the land (this is typically in the form of a planning proposal).

Conversely, where land is not identified as a SUGA (or potential urban growth area) in Council's local planning policy, it is a signal that Council does not intend to apply resources to progress to developer driven proposals for urban land uses in the area.

SUGAs are also reflected within the Local Environmental Plan 2012 (LEP) through maps and clause 7.8.

The purpose of the LEP based mapping and provision is to maintain strategic urban development opportunities by ensuring specific consideration of factors that may preclude future urban development.

The LEP provisions are essentially a protection for potential urban growth areas, so they are not inadvertently sterilised for urban use by another land use.

One aim of the SUGA review was to revisit the suitability of areas that had been identified in urban planning policy for some time to provide a realistic foundation for Council's planning to accommodate future demand for residential and employment land.

The review was underpinned by a desktop assessment of known land constraints including State Environmental Planning Policy (SEPP) identified

7.2 Local Strategic Planning Statement - SUGA Site Review

wetlands and littoral rainforest, core koala habitat, bushfire prone land, high biodiversity values and flood risk.

In addition, where previous site-specific investigations had taken place, or if sites were impacted by legislative changes, relevant information was also incorporated into the review.

Staff recommended that eight sites be retained, eight be refined and eleven be removed.

One new site was recommended, being an extension of the Russellton Industrial Estate.

At the 10 October 2022 Extraordinary meeting, Council resolved that twelve sites be retained, six be refined and nine be removed, with the one new site added as recommended.

DPHI subsequently removed the Russellton Industrial Estate expansion area and required modifications to the Lennox Head Coast Road site in relation to the LEP based mapping amendments finalised in September 2023 following the SUGA review.

However, this did not alter Council's policy-based decision on the location of SUGA areas, which has been reflected in the draft LSPS.

The location of the three areas that are the subject of Council's 26 March 2026 resolution are shown in Figures 1 and 2.

Updated constraints mapping is provided for each site elsewhere in this report.

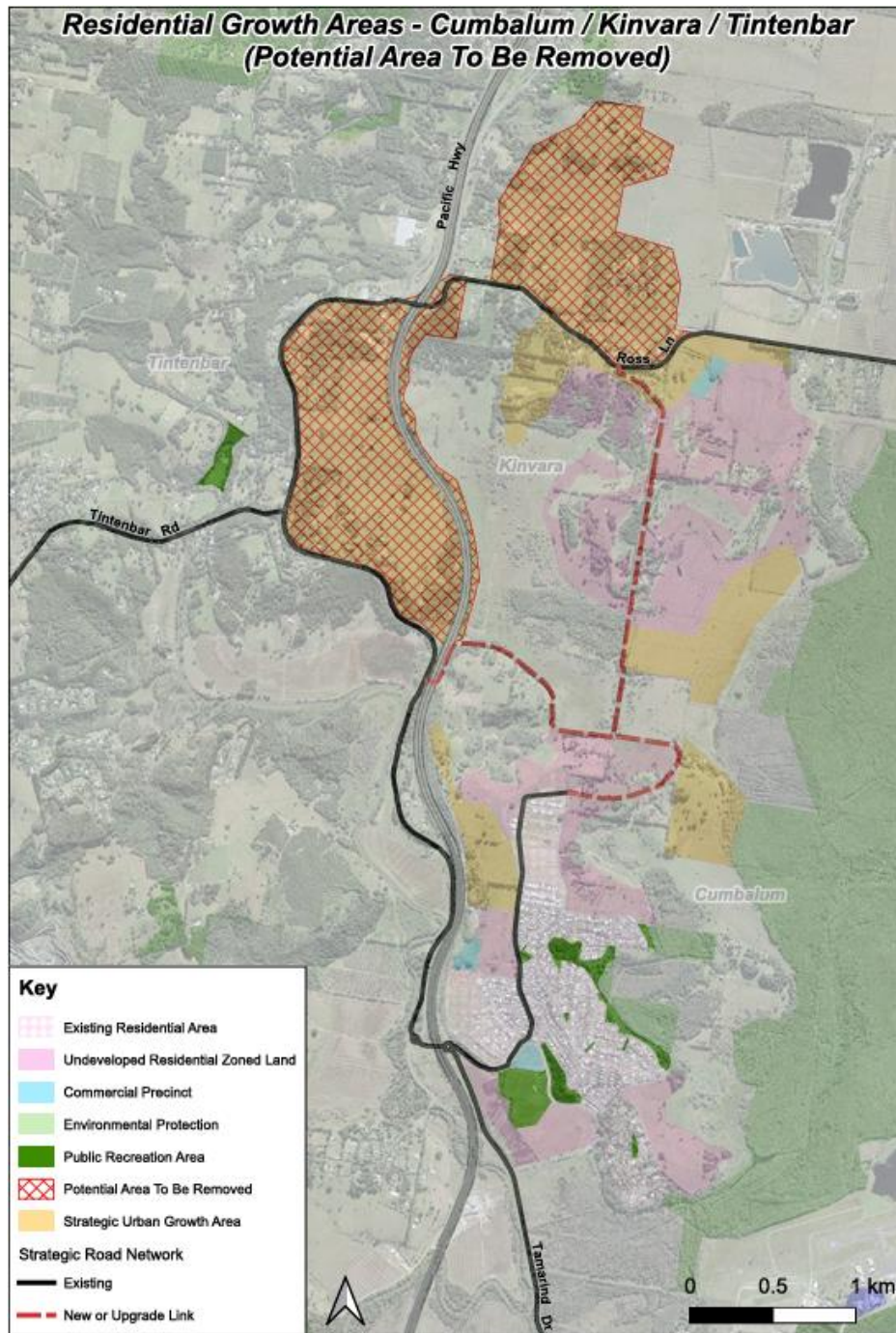


Figure 1: Cumbalum / Kinvara / Tintenbar map showing Precinct B North Kinvara (north of Ross Lane) and Precinct C (CURA C) primarily west of the Pacific Highway (both sites hatched).

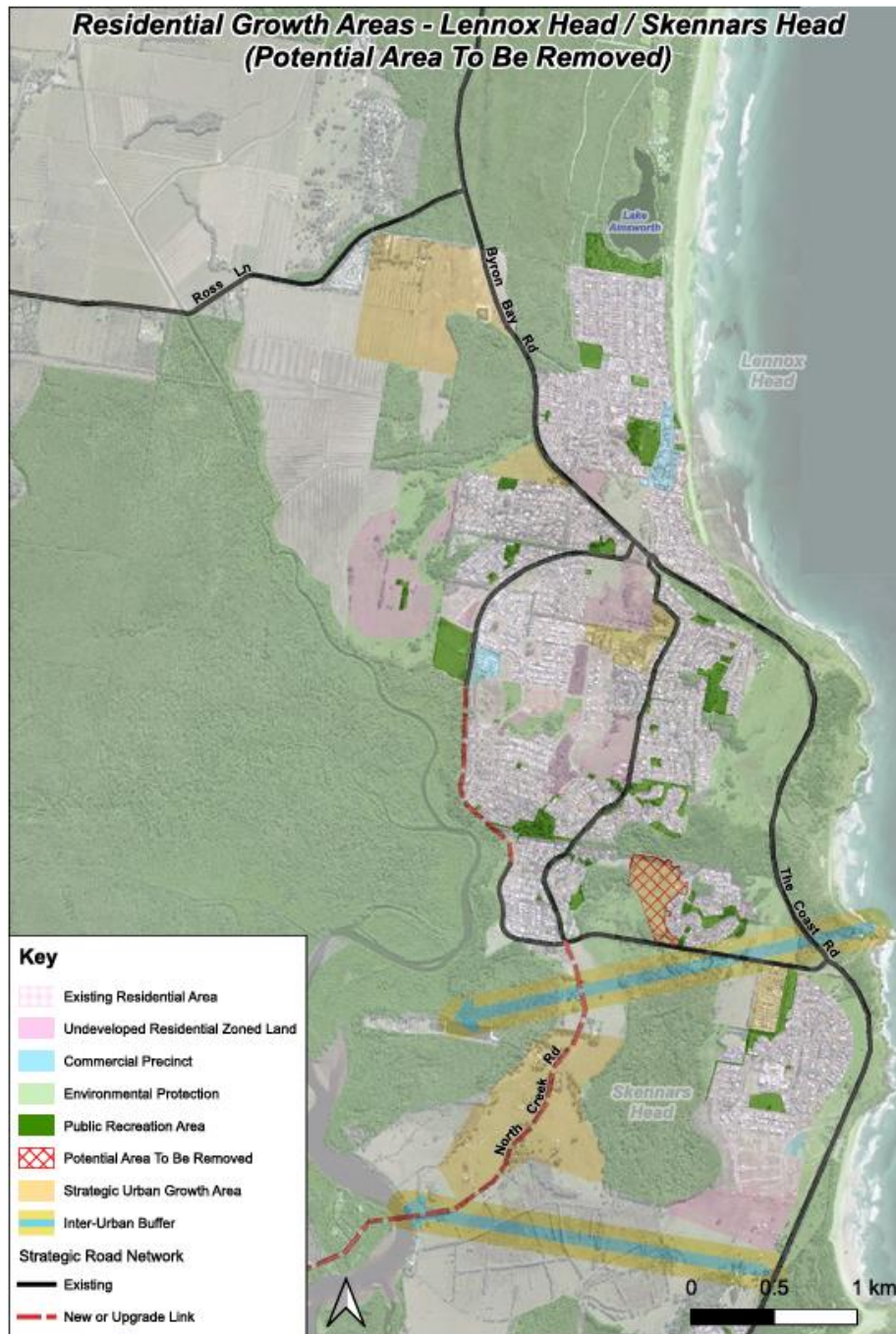


Figure 2: Lennox Head / Skennars Head map showing West Lennox Palms (hatched).

Area #1 North Kinvara (part of Precinct B)

The site (shown in Figure 3) has an area of 163 hectares and was initially identified in Council’s mid 1990s Urban Land Release Strategy (ULRS) as part of the broader Cumbalum investigation area.

Figure 4 provides an indication of the typically rural nature of the land at present.

There are two parts to this site being the area of land north of Ross Lane and an area to the South that directly adjoins residential zoned land at Kinvara. These two areas are addressed further as follows.

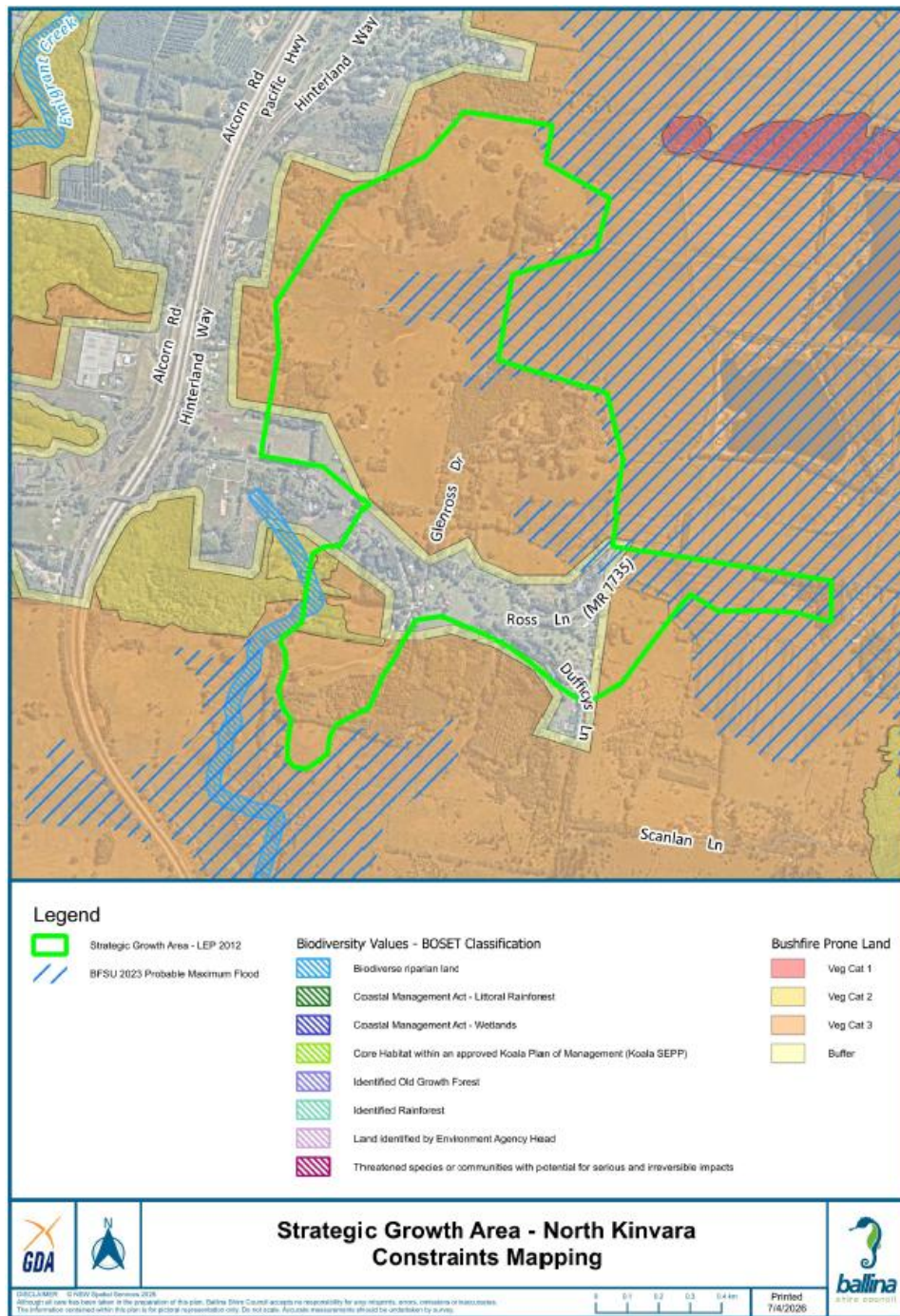


Figure 3: North Kinvara (part of Precinct B) SUGA area with mapped bushfire, flooding and biodiversity constraints.



Figure 4: Part of the North Kinvara SUGA land, looking north from Glenross Drive.

The site was included as part of Precinct B in the Cumbalum Structure Plan (2006).

Land to the south of Ross Lane was excluded from residential zoning as Part of the Cumbalum Urban Release Area (CURA) B area, largely due to road noise impacts (i.e. it was not suitably demonstrated at the time that the land was suitable for residential land use relative to noise impacts).

Land to the north of Ross Lane has not been subject to any detailed urban investigations.

Figure 3 shows where the site is subject to bushfire prone vegetation (Category 3 Grasslands shown in orange) and illustrates the extent of flood prone land (hatched blue).

There is also a mapped riparian corridor on the State's Biodiversity Values Map (blue).

The site also includes areas of steep slope and potential slip hazards, scattered areas of primary and secondary koala habitat and most of the site is identified as regionally significant farmland.

The 2022 staff recommendation was to refine the SUGA by removing all land north of Ross Lane (Figure 5 shaded red).

This area is disjointed from the remainder of the Precinct B urban release area.

Fractured land ownership, particularly the rural residential development around Glenross Drive, may compromise the potential for a coordinated investigation as to the suitability of the site.

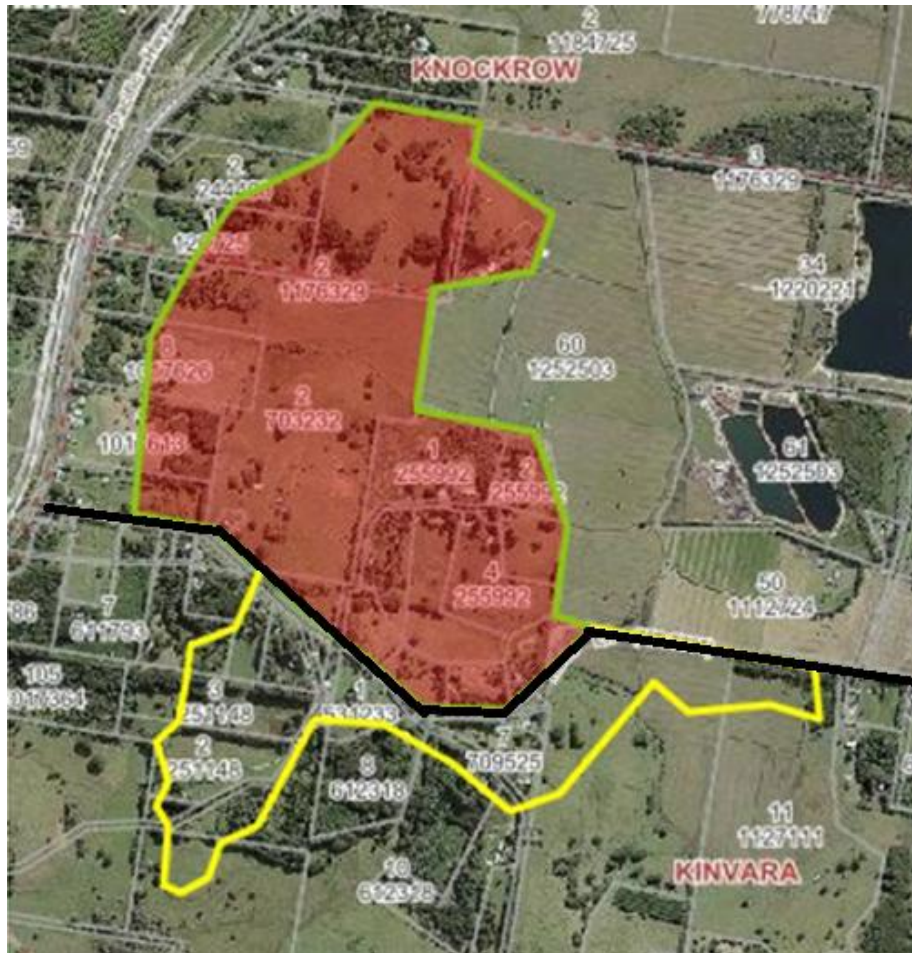


Figure 5: North Kinvara (part of Precinct B) SUGA with the area recommended for removal by staff in 2022 shown in red. Ross Lane is shown as a black line.

At the 10 October 2022 Extraordinary meeting Council resolved to retain the site on the basis that:

- Although impacted by environmental constraints and road noise, parts of the site may be suitable for non-residential urban uses associated with the development of the Precinct B urban release area, in the medium to long term.
- The potential of the land is difficult to determine at this time, due to the extent of change that will occur in the immediate locality in association with the development of Precinct B.
- Further information regarding the capacity of the site will become available as the adjacent residential estate is developed.

Area #4 Cumbalum (Precinct C).

The site has an area of 160 hectares and was initially identified in the mid-1990s Urban Land Release Strategy (ULRS). It was identified as Precinct C in the Cumbalum Structure Plan (2006) for future urban investigation.

7.2 Local Strategic Planning Statement - SUGA Site Review

The context of this site relative to the overall CURA release area has been impacted by the construction of the Pacific Highway with highway design and construction occurring after the site was identified for possible future urban development.

Figure 6 shows where the site is designated as bushfire prone land (orange and yellow) and illustrates the mapped extent of the probable maximum flood (blue hatched). There is also a mapped rainforest area (green) and riparian corridor at the southern end of the site (blue).

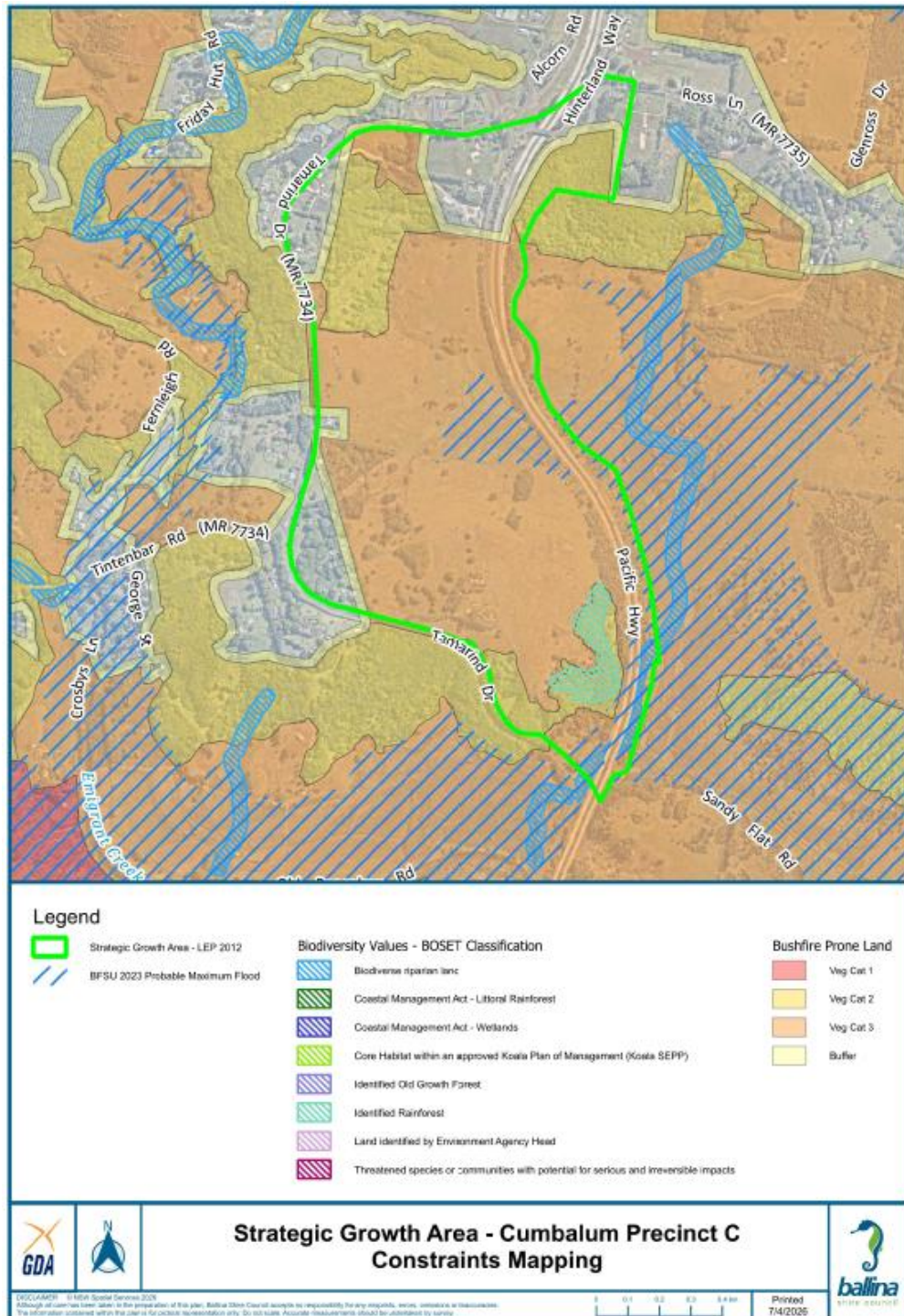


Figure 6: Cumbalum Urban Release Area Precinct C SUGA with mapped bushfire, flooding and biodiversity constraints.

7.2 Local Strategic Planning Statement - SUGA Site Review

The site is also characterised by very steep slopes with potential slip hazards and constraints to construction.

It is also impacted by road noise from the Pacific Motorway and is mapped as regionally significant farmland.

An image of part of the land from Tamarind Drive is shown in Figure 7.



Figure 7: Part of the CURA C SUGA land, looking east from Tamarind Drive.

The 2022 staff recommendation was to remove the site on the basis that:

- The land does not have a reasonable prospect of accommodating residential or commercial development at any significant scale due to the presence of combined environmental constraints.
- The topography of the site limits development potential to only disjointed pockets of development (as rural residential development).
- The site has become significantly impacted by the construction of the upgrade to the Pacific Motorway, particularly in terms of road noise and disconnection with existing and planned urban areas of Ballina Heights and Banyan Hill (CURA A) and Kinvara (CURA B) to the east.

At the 10 October 2022 meeting, Council resolved to retain the site, on the basis that future investigations may uncover potential for the area to provide needed housing within the Shire.

Since that time an area of approximately 40 hectares within CURA C has become the subject of a rezoning proposal (submitted to Council in August 2025).

This matter is currently subject to a rezoning review process by DPHI.

7.2 Local Strategic Planning Statement - SUGA Site Review

A separate report was provided to the 9 April 2026 Environmental and Sustainability Committee meeting.

That report provides details on several issues relevant to the consideration of the suitability and capability of the land for residential development.

Infrastructure provision is one of the issues addressed in the reporting and this is further considered in relation to the SUGA matter below.

A copy of the report can be found at [Agenda of Environmental and Sustainability Committee Meeting - Thursday, 9 April 2026](#).

The recommendations from that meeting are subject to a different agenda item elsewhere in this business paper.

Area #14 West Lennox Palms, Lennox Head

The site has an area of 10.7 hectares and was initially identified in the mid-1990s Urban Land Release Strategy (ULRS).

It is the residue land of the adjacent Lennox Palms estate and is characterised by small rural 'lifestyle lots' of 3500m² to 5ha.

Figure 8 shows the site is subject to bushfire prone vegetation (Category 3 Grasslands), is marginally affected by the maximum flood extent and that adjoining sites contain mapped littoral rainforest and coastal wetlands.

The 2022 staff recommendation was to remove the site on the basis that:

- After the land was identified as a SUGA, it has been subdivided (acting on a 1982 development consent) such that the land does not have a reasonable prospect of accommodating further residential development.
- The now fractured land ownership undermines the potential for further integrated urban suitability investigations and coordination in the design and provision of access and services to the lands.

Council resolved to retain the site on the basis that future investigations may uncover potential for the area to provide needed housing within the Shire.

Figure 9 shows a view of the land from Henderson Drive.

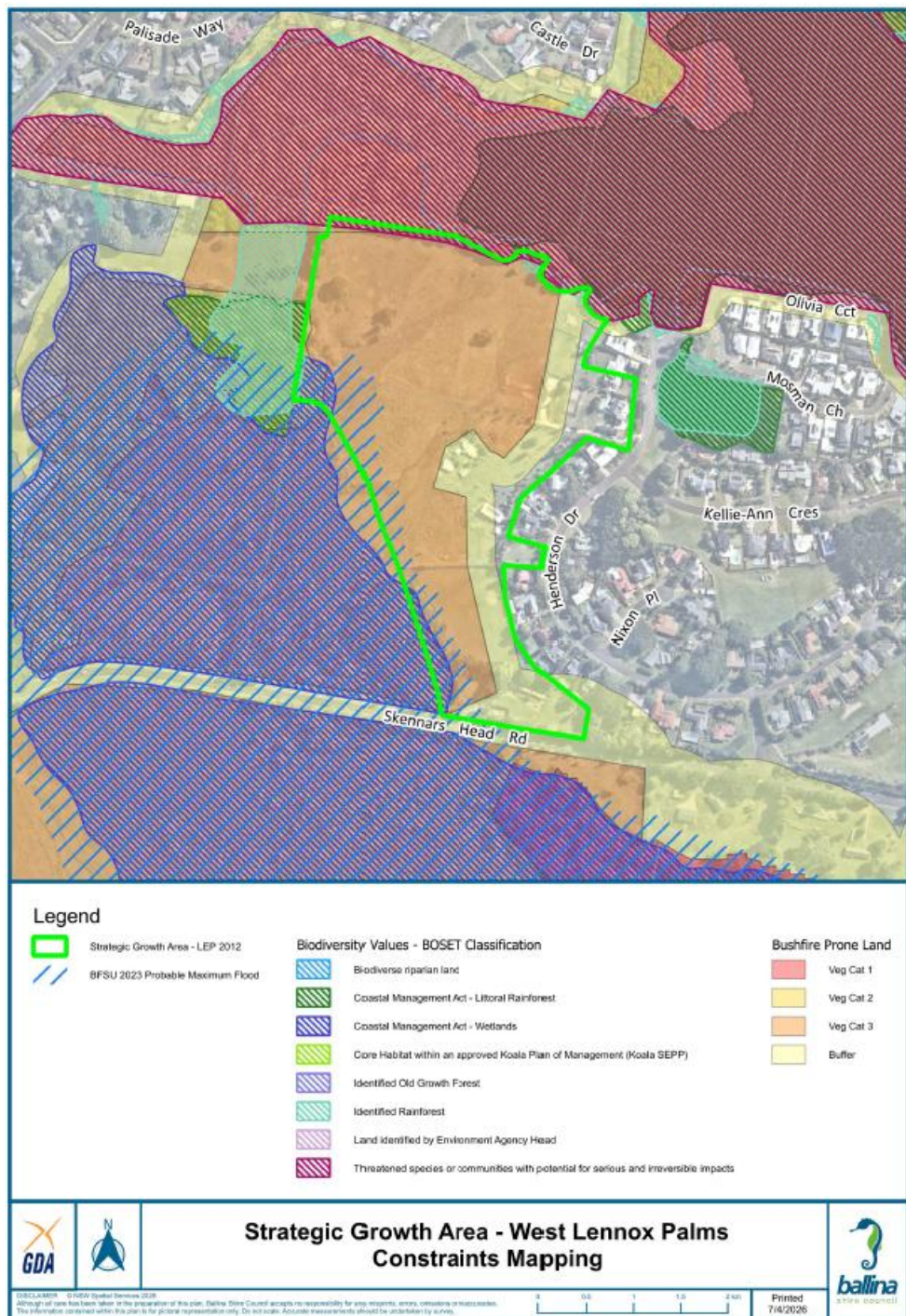


Figure 8: West Lennox Palms SUGA with mapped bushfire and environmental constraints.



Figure 9: Part of the West Lennox Palms SUGA land, looking west from Henderson Drive.

Delivery Program Strategy / Operational Plan Activity

There is an action in the Delivery Program and Operational Plan (DPOP) to be undertaken in 2025/26 to:

Review Local Strategic Planning Statement to incorporate updated local growth management strategy. (HE3.1g)

Community Engagement Strategy

No community engagement has been undertaken regarding the removal or refinement of the three sites addressed within this report.

The LSPS was publicly exhibited inclusive of the three areas addressed above being designated as strategic urban growth areas.

Council considered the outcomes of the public exhibition of the draft LSPS via the 11 March Environmental and Sustainability Committee and subsequent 26 March 2026 Ordinary meeting.

Financial / Risk Considerations

No financial or other risk has been identified in removing or refining the sites from the LSPS residential growth area maps.

The designation of SUGA areas is a policy decision of Council.

There is no merit-based appeal right to NSW courts regarding this type of policy decision.

7.2 Local Strategic Planning Statement - SUGA Site Review

However, if Council decides to alter the exhibited approach regarding the SUGA areas the subject of this report, it is open to Council to reexhibit the changes to invite public consideration and submissions.

Options

It is suggested that Council looks at each of the three sites to determine its preferred approach based on one of the following options:

- Retain the SUGA area in the LSPS.
- Remove the SUGA area from the LSPS.
- Partially retain/remove the SUGA area from the LSPS.

This report outlines the 2022 staff recommendations relating to each of the sites which were, in summary, as follows:

- North Kinvara (CURA B) – refined to remove the area north of Ross Lane (as shown in Figure 5).
- CURA C - removed, and
- West Lennox Palms - removed.

It is considered that the reasons provided in relation to the 2022 recommendations remain an appropriate basis to alter the strategic urban growth areas mapping.

The recommendations of this report, however, recognise and reflect the October 2022 resolution of Council and the subsequent composition of the draft LSPS as exhibited, being that each of the three areas is identified in the LSPS as a strategic urban growth area.

If Council determines that its preferred approach is to retain the areas north of Ross Lane and CURA C within the LSPS as strategic urban growth areas, it is suggested that infrastructure planning considerations associated with these land parcels be explicitly referenced in the final LSPS.

If these two areas are ultimately to be developed for urban purposes, it is most logical from an infrastructure provision perspective for them to be sequenced following development of CURA B.

However, as experienced with CURA C proposals can be made that are at variance to this sequencing.

To ensure that infrastructure provision is properly considered up front, it is recommended that any parts of CURA C and North Kinvara designated as SUGAs be subject to a provision in the LSPS that requires proponents to demonstrate that essential services (including water, wastewater, recycled water, electricity, stormwater drainage, roads and telecommunication services) can be both economically and practically provided to enable the orderly development of the land.

Further it is recommended that this information be required prior to the gateway determination point with respect to any planning proposal for urban development.

7.2 Local Strategic Planning Statement - SUGA Site Review

Out of sequence infrastructure provision in relation to these sites presents significant uncertainty and risk in relation to the rezoning of land and so it is essential that it is addressed at the outset of any proposal for development of CURA C and North Kinvara.

Finally, if Council decides to remove any areas from the LSPS, then consideration regarding community engagement in this regard is warranted.

Given that Council has adopted the LSPS (except for the decision on these three sites) it is suggested that further consultation be limited to the subject sites.

In this regard, if Council prefers to remove the North Kinvara and Lennox Palms areas, it is recommended that an opportunity be provided for public and landowner feedback.

In relation to CURA C, Council has an extensive amount of information available to it and the proponent is aware of that the site is under consideration by Council. If CURA C is removed, further community engagement is not recommended.

RECOMMENDATION

1. That Council retains the area known as North Kinvara (CURA B) as a strategic urban growth area within the Ballina Shire Local Strategic Planning Statement.
2. That Council retains the area known as CURA C as a strategic urban growth area within the Ballina Shire Local Strategic Planning Statement.
3. That Council retains the area known as West Lennox Palms as a strategic urban growth area within the Ballina Shire Local Strategic Planning Statement.
4. That in relation to North Kinvara (CURA B) and CURA C that the Local Strategic Planning Statement incorporates a requirement for proposals that seek to enable urban development on the land to demonstrate that essential services can be both economically and practically provided to enable the orderly development of the land, with this information to be provided prior to the gateway determination point in the planning proposal process.

Attachment(s)

Nil

7.3 Development Applications - Works in Progress - 31 March 2026 Update

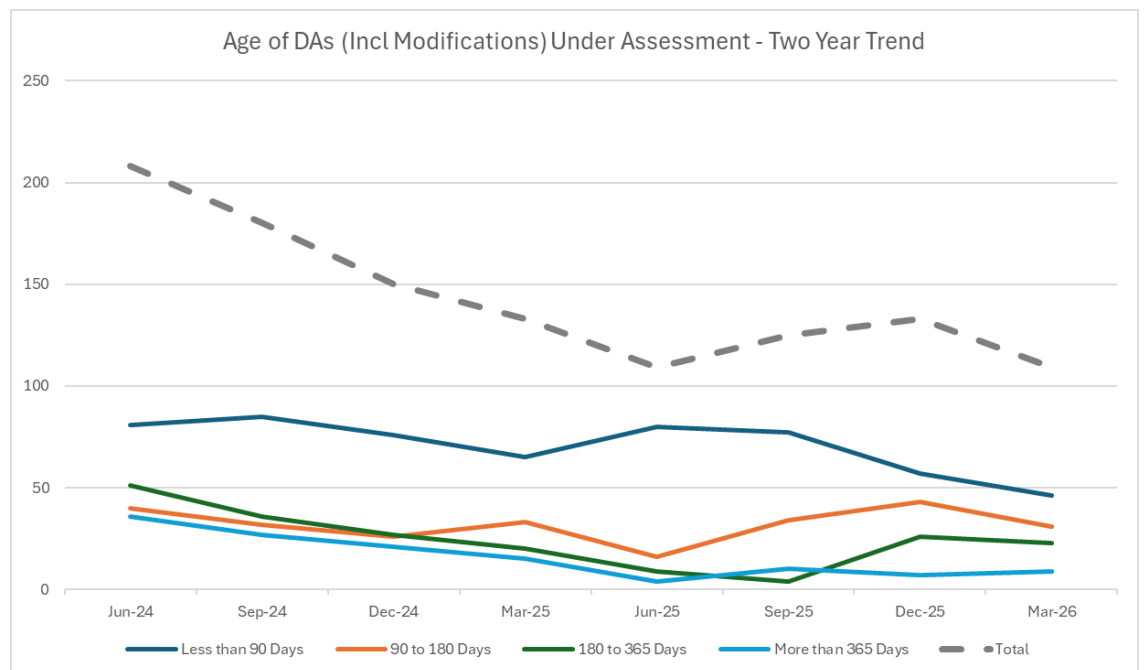
7.3 Development Applications - Works in Progress - 31 March 2026 Update

This report provides an overview of current development application (DA) activity. The data provided is to 31 March 2026 for the 2025/26 financial year.

A list of development applications, not yet determined, that have been under assessment for a period of greater than 90 days is included as Attachment 1. The 90-day threshold has been chosen as it provides a good indication of the volume of DAs that are in progress and overall workload. Further information relating to the applications listed is available via Council's DAs online portal (accessible via www.ballina.nsw.gov.au).

DA Volume Statistics

The following chart shows the total number of DAs (including modifications) under assessment (and not yet determined) at the end of the last eight quarters, with reference to various timeframe groupings.



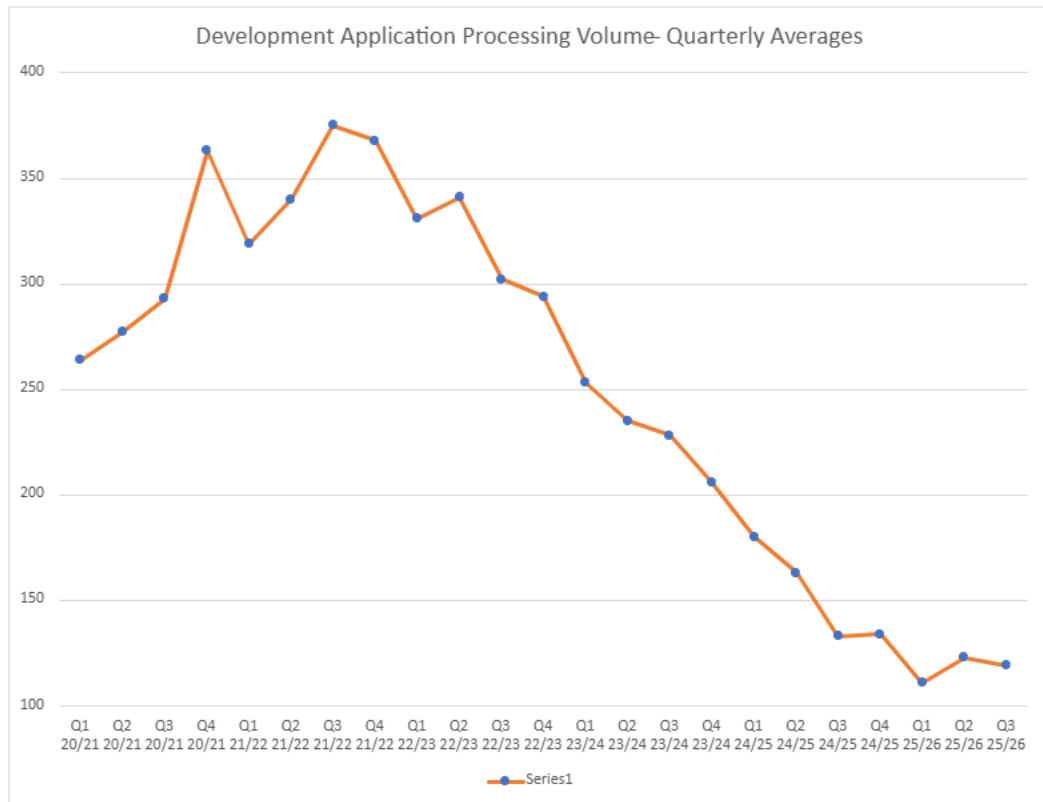
The data does not show applications that have been lodged and determined within the quarterly reporting periods (i.e. the figures relate to applications not yet determined at the end of each quarter).

The data illustrates an overall reduction in DAs under assessment at any one time over the last two years. There has been some fluctuation in the time-based categories with a key outcome being a significant reduction in DAs under assessment for over 365 days. There has been an increase in the number of DAs under assessment for between 180 and 365 days in the last three quarters but this has been offset by reductions in the less than 90 and 90 to 180 days categories.

The next chart provides a longer-term overview of the volume of development applications lodged, but not determined each quarter, for the period July 2020

7.3 Development Applications - Works in Progress - 31 March 2026 Update

to the end of March 2026. The quarterly figure represents the three-monthly average of DAs lodged but not determined for that quarter.



The chart shows a continued overall trend of reduction in DAs under assessment at any one time since the 2021/22 year.

The next table provides an indication of the total annual volume of DAs. The figures are for DAs and section 4.55 modification applications and do not include complying development certificates or other related applications for approvals. The trend for 2025/26 is that the number of new DAs being submitted is rising compared to the volume experienced in the last few years. Of the DAs submitted, 327 have progressed to lodgment and assessment.

The volume of submitted DAs provides an indication of total workload associated with DAs, including processes around adequacy of DA documentation and resubmission of applications where further information is necessary before an application can progress to assessment.

Year	No. of DAs Submitted	% Change
17/18	861	N/A
18/19	890	+ 3.4%
19/20	976	+ 9.7%
20/21	1093	+ 12%
21/22	1020	- 7.2%
22/23	759	- 25%
23/24	602	- 20%
24/25	575	- 4.5%
2025/26 YTD	542	Projected change based on trend +20%

7.3 Development Applications - Works in Progress - 31 March 2026 Update

Monthly Data (Financial Year)

The next table shows monthly activity of development applications and modification of consents within the current financial year. This gives a guide to the flow of applications in and out of the assessment system.

	2025/26								
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
DAs & Mods Submitted	63	70	84	57	52	63	43	44	66
DAs & Mods Returned	23	23	34	21	20	27	17	18	19
DAs & Mods Lodged	37	50	40	37	36	44	21	24	37
DAs & Mods Approved	47	34	44	26	38	31	22	37	46

The next data set shows indicators aligned with the Ministerial Direction for assessment times for 2025/26. These indicators represent refinement of the overall 105-day average assessment timeframe target set by the Minister to aid internal tracking and management. The indicators also align with the recommendations of the Two Things and Keylan Development Assessment Review recommendations.

The data is represented with “traffic lights”, green reflecting the target being met, amber reflecting the result did not meet the target but is close and red indicating the target was not met for the month. Development assessments can be lumpy month to month in terms of assessment outcomes and timeframes owing to a wide variety of factors.

Applications and Targets (Ministers target *)	2025/26								
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
DAs & Mods under assessment <180 applications	96	107	124	118	119	134	131	118	108
DAs & Mods > 12 Months Old < 10 applications	6	8	9	9	7	7	8	9	9
* Submit to Lodge (average days) < 7 days (inc. mods)	5.3	4.9	5	4.9	5.9	4.8	5.3	5.5	4.8
* DA Assessment (lodged to determined) <105 days (portal figures) (exc. mods)	47	61	60	65	67	68	65	73	76
DA Assessment (lodged to determined) <105 days (council figures) (inc. mods)	73.5	61	54	75.4	73.7	71.3	105	90.2	93.4
Residential Development (average assessment) < 90 days (exc. mods)	58	66	95	100.5	71.5	92.1	120.3	160.9	145.8
Ancillary Development (average assessment) < 30 days (exc. mods)	38	70	49.5	30.7	51.3	38.8	61.8	58.2	35.7
Median Determination Time < 55 days (excl. mods)	44	87	44	37	44	38	68	67	62
Proportion Determined under Delegation > 95% (inc. mods)	100%	97.4%	100%	100%	100%	100%	100%	100%	100%

These figures represent an improvement on the prior 12-month period and this is reflected in State Government published portal data. This is illustrated in the next table.

7.3 Development Applications - Works in Progress - 31 March 2026 Update

State Government Published Portal Data	2024/25	2025/26 (YTD)
DAs Submitted (inc. mods)	575	542
% Change	-	+20%
Average Submit to Lodge (portal) (exc. mods)	66	5
% Change	-	- 92%
Average Assessment (portal) (exc. mods)	158	76
% Change	-	- 52%

Determination Method

Applications are determined in several ways including under delegated authority, by the elected Council and by the regional planning panel. Applications are also concluded by being withdrawn by the applicant.

The target for the percentage of applications determined under delegated authority in the 2025/26 Delivery Program and Operational Plan is 95%. In 2025/26, 99% of applications determined have been resolved by staff under delegation.

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

Determination Outcome

In relation to the determination of DAs, most development applications are determined by way of approval. Approval rates for applications over the last five years are shown in the next table.

Year	2021/22	2022/23	2023/24	2024/25	2025/26 YTD
Approval Rate	99%	98%	97%	91%	92%

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

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

Variations to Development Standards

In accordance with Department of Planning reporting requirements, the following information is provided on development applications lodged prior to 1 November 2023 where a variation to a development standard of 10% or less (via the BLEP 1987 or BLEP 2012) has been approved by staff under delegated authority in the period January to March 2026.

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

7.3 Development Applications - Works in Progress - 31 March 2026 Update

Northern Regional Planning Panel DAs under Assessment

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

DA No.	Applicant	Address	Proposal	Status
DA 2025/160	Ardill Payne & Partners	10 Stewart Street LENNOX HEAD	Alterations and Additions to the Recreation facility (outdoor)/Registered Club and reconfiguration of associated car parking and access arrangements, with works being undertaken in 2 stages.	Applicant's additional information received 20 March 2026 in response to Council's RFI issued November 2025. NRPP Determination Meeting 18-20 May to be confirmed.
DA 2025/418	Barker Ryan Stewart	47 Duffcys Lane KINVARA	Stage 1 Boundary Adjustments & Lot Consolidation of 6 lots to create 4 lots. Stage 2 Torrens Title subdivision (CURA B Stage 1) and associated infrastructure, comprising: 233 residential Torrens lots and 4 x superlots for future development of a village precinct capable of supporting a mix of commercial and residential development. 4 x public park lots. 4 x residue lots. 1 x lot for the water reservoir. 2 x lots for dedication of drainage reserves. 1 x lot for pump station. 1 x Aboriginal cultural heritage lot	DA publicly exhibited 12 November to 12 December 2025. Request for additional information issued on 1 December 2025 and a further request (RFI 2) on 1 April 2026. Applicant provided a response to RFI 1 on 2 April 2026.
DA 2025/377	J Pickford	Whytes Lane PIMLICO	Extractive Industry comprising the extraction of a total of 66,000m ³ of aggregate over a 30-year period for reuse on the property, and associated vegetation management works and rehabilitation works.	DA publicly exhibited 19 November to 19 December 2025. Council issued a request further information on 5 January 2026. Council is awaiting a response.

7.3 Development Applications - Works in Progress - 31 March 2026 Update

DA 2025/395	Fiveight Hinterland Pty Ltd	933 Fernleigh Road BROOKLET	<p>Alterations and Additions to Tourist and Visitor Accommodation comprising:</p> <ul style="list-style-type: none"> • Construction of 'arrivals building' (HUB) to including arrival entrance, Porte Cochere, reception, restaurant, guest lounge and shop; • Refurbishment of 'Kukura House' with new back of house facilities (laundry, housekeeping and staff room), education/information space, office and kitchen. • Renovation of existing tourist units • Construction of four additional tourist units. • New spa complex and treatment rooms including upgrades to pool area to include additional plunge pools and recovery program area and improved accessibility; • Provision of a new carparking area to accommodate 71 car spaces. • Improved accessibility via a new lift, bridge over creek and general DDA access improvements. • Associated demolition works, vegetation management works and replacement plantings, and infrastructure. 	<p>DA publicly exhibited 29 October to 28 November 2025.</p> <p>Council issued a request for further information on 8 December 2025.</p> <p>Council is awaiting a response.</p>
DA 2026/22	The Trustee for Freddie Hunter Trust	110 White Lane ALSTONVILLE	<p>10 culturally responsive group homes, comprising 6 x two-bedroom group homes and 4 x three-bedroom group homes providing transitional and permanent housing for Aboriginal Elders, women and children, and associated infrastructure including onsite sewer management, static firefighting water supply, associated fencing, vegetation removal, landscaping and outdoor areas.</p>	<p>DA publicly exhibited 4 March to 19 March 2026.</p> <p>Council issued a request for further information on 24 February 2026.</p> <p>Council is awaiting a response.</p>

7.3 Development Applications - Works in Progress - 31 March 2026 Update

DA 2026/115	Boral Resources (Country) Pty Ltd	348 North Teven Road TEVEN	Extension to existing extractive industry comprising: <ul style="list-style-type: none"> • Increase in vertical limit of extraction, within the existing extraction boundary, to extract approximately 1.4 million tonnes of hard rock resource • Ongoing extraction, processing, stockpiling and transportation of up to 500,000 tonnes of extractive material per year over up to seven years; • Rehabilitation of the extractive industry site 	DA on public exhibition until 15 May 2026.
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Development Assessment Review Process

Council engaged an independent consultant, “Two Things”, to assess options that could be implemented to improve development assessment times. The review has been completed and a briefing on the outcomes was provided to Councillors in May 2025.

Following on from the “Two Things” review, an action plan was prepared listing the report’s recommendations. The action plan was presented to the July 2025 Ordinary meeting.

In addition to the Two Things Review, the DPHI commissioned Keylan Consulting, for a third-party review of Council’s DA assessment timeframes as reported to Council in January 2026.

As the DPHI/Keylan report contains several action items, with most of these overlapping with the Two Things report, the DPHI/Keylan report actions are being integrated into the action tracking being undertaken in relation to the Two Things report. Updates will be provided to Council through this quarterly report.

Various actions have been completed in response to both the Two Things report and the DPHI/Keylan report.

The continued focus has been on actions that help address the Minister for Planning’s Statement of Expectations Order. Actions over the reporting period include:

- Ongoing review of Council’s internal technical officer referral KPIs.
- Ongoing review of the Development Services Section’s service levels for non-assessment functions.
- Continuing to apply timeframe limitations on responses to requests for further information.
- Commencement of a review of complying development provisions by the Strategic Planning Section.
- Quarterly review of action plan implementation.
- Development of internal data tracking dashboard.
- Completion of a final draft update of Development Services Section’s applications procedure.
- Review and refinement of external assessment program through consultancies.

7.3 Development Applications - Works in Progress - 31 March 2026 Update

- Introduction of the DA Lodgement Checklist as a mandatory document on the NSW Planning Portal when submitting all DAs.
- Review of allocation of DA classes across planning and building staff commenced.
- Portal data and Council data audits.
- Ongoing implementation of Council and portal software systems.
- Initial review of possibilities for AI use in planning functions undertaken. Options under consideration.
- Staff training and professional development programs identified for 2026.

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

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

The passing of the Planning System Reforms Act 2025 which amends the EP&A Act, introduces several significant changes to the NSW planning system.

In response to these changes being rolled out over the next 12 months, the Development Services Section will be reviewing and adjusting its processes and procedures to align with these legislative changes.

Information on the reforms can be found at [Planning reforms](#).

RECOMMENDATION

1. That Council notes the contents of the report on the status of outstanding development applications for 31 March 2026.
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 January 2026 to 31 March 2026.

Attachment(s)

1. Undetermined Development Applications - Under Assessment 90 Days - 1 January 2026 to 31 March 2026 [⇒](#)

7.4 Disability Inclusion Action Plan - Review

7.4 Disability Inclusion Action Plan - Review

Section	Strategic Planning
Objective	To present a review of the Ballina Shire Disability Inclusion Action Plan (DIAP) and seek endorsement to publicly exhibit the draft DIAP.

Background

The Disability Inclusion Act (DIA 2014) requires all public authorities in NSW, including local councils, to prepare a Disability Inclusion Action Plan (DIAP) that sets out measures to support people with a disability to access services and participate fully in their community.

There are a range of requirements within the Act, the associated regulations, and the NSW DIAP Guidelines as to what needs to be included. Clause 12(3)(b) of the Act specifies that a DIAP must include strategies for the following matters:

- (i) providing access to buildings, events and facilities,*
- (ii) providing access to information,*
- (iii) accommodating the specific needs of people with disability,*
- (iv) supporting employment of people with disability,*
- (v) encouraging and creating opportunities for people with disability to access the full range of services and activities available in the community*

Council's current DIAP (2023-2026) was adopted in September 2023.

It is a statutory requirement that all councils review and update their DIAPs by 1 July 2026.

The DIAP has been reviewed, with a series of minor updates undertaken. A revised draft DIAP 2026-2030 is included as Attachment 1 to this report.

This report provides an overview of the changes and seeks Council's endorsement to progress the attached draft DIAP to public exhibition so that consultation can be undertaken in accordance with the DIAP guidelines and Council's Community Engagement Strategy.

Key Issues

- Compliance with statutory requirements
- Provision of adequate community consultation opportunities
- DIAP measures being fit for purpose and reflective of community expectations

Discussion

Council's DIAP was updated in 2023 and complies with statutory requirements. In accordance with the Act, Council has provided an annual report to the Minister for Disability Inclusion on the implementation of the actions contained within the plan.

7.4 Disability Inclusion Action Plan - Review

Council's DIAP contains a series of actions, including delivery timeframes, which align with key outcome areas contained within the guidelines, being:

- Developing positive community attitudes and behaviours
- Creating liveable communities
- Supporting access to meaningful employment
- Improving access to services through better systems and processes

The most recent annual reporting and preliminary consultation with Council's Access Reference Group (ARG) has been the basis for the review to date. The ARG consists of community members and organisations with an interest in improving access across the shire for people with disabilities. Its purpose is to provide advice to Council on the access needs of people with disabilities who live, work or visit Ballina shire."

Changes within the attached draft DIAP include:

- Additional information on DIA 2014 requirements for DIAPs (p.8)
- Updated census data (pp 18-19)
- Updated achievements since adoption of the previous DIAP (p.26)
- Updated action tables with more detail on expected outcomes, measures, and targets (pp 35-41)

Other minor changes and clarifications have also been incorporated.

Achievements of the Existing DIAP

During the 2023-2025 period the following projects and actions to support the needs of people with disabilities were achieved:

- Supporting the role and function of the Access Reference Group.
- Construction of an extensive network of accessible shared pathways and ongoing condition audits of the pathway network.
- Alteration of the design specification for public amenities such as picnic tables, drinking fountains and garbage bins.
- Provision of a network of accessible unisex toilets with the Master Locksmith Access Key (MLAK) free of charge to eligible residents. MLAK keys can be used to open accessible toilets across Australia.
- Council web pages made compliant with Web Content Accessibility Guidelines 2.0 AA.
- Assessment of Council facilities to ensure accessibility.
- Continued support of the employment of the Regional Works Crew within Council's Open Spaces Section.
- Training of Council staff in disability awareness.
- Provision of accessible beach wheelchairs free of charge.
- Sponsorship of local dementia symposium attended by 100+ people.
- Lennox Head Park upgrade incorporating accessible pathways, toilets and viewing points.
- Pop Denison Park upgrades including accessible playground equipment, pathways, BBQ facilities, picnic areas and accessible toilet.
- Sharpes Beach Carpark upgrade including improved accessibility to viewing areas, the Coastal Recreation Path and amenities.
- Signalised pedestrian crossing located in West Ballina providing a safer crossing point option for people with disabilities.

7.4 Disability Inclusion Action Plan - Review

- Playground upgrades include accessible play options.
- Increased the number of accessible parking spaces across the shire.
- Auslan interpreter available at Council meetings and community consultations on request.

Pre-exhibition Feedback

The Act requires a public authority to consult with people with a disability in the preparation of its DIAP.

Pre-engagement with the ARG on the Draft DIAP took place at the 7 April 2026 meeting.

Preliminary feedback from this group is that the document should be simplified and a range of changes to the graphic design could be made to make it more accessible for people with any form of vision impairment.

This will be considered further having regard to feedback received from the public exhibition process.

Staff also attended a stall showcasing the draft DIAP at the Ready-Set-Connect networking event for disability service providers and clients at the Ballina RSL on March 25.

The event provided an opportunity for staff to engage with local disability service providers (including making them aware of Council's roles and responsibilities, receiving preliminary feedback on the DIAP, and identifying potential stakeholders for upcoming engagement).

Delivery Program Strategy / Operational Plan Activity

The DIAP is aligned with the following Delivery Program and Operational Plan (2025–29) strategies:

- CC2.1 - Encourage volunteering, events and activities that promote social connections and wellbeing.
- CC2.2 Provide disadvantaged groups with support and advocacy.

The Delivery Program includes an action (CC2.2b) to implement the Disability Inclusion Action Plan.

Community Engagement Strategy

The DIA 2014 mandates that disability inclusion planning must be done in consultation with people with a disability.

Some preliminary engagement of people with a disability occurred at Council's most recent ARG meeting and at the disability service provider networking event in late March.

Council's Community Engagement Strategy requires Council strategies be exhibited for a minimum of 28 days and that the level of engagement is to 'involve' the community.

7.4 Disability Inclusion Action Plan - Review

Community engagement during the public exhibition period will consist of contacting key stakeholders, with a combination of online (via Council's Your Say engagement platform) and face-to-face engagement. Two facilitated workshops are to be held in the Council chambers on 4 and 7 May 2026.

Following the exhibition period and consideration of submissions, the DIAP will be reported to Council with respect to its finalisation and adoption.

The intent is to complete this process before 1 July 2026 to meet the State Government's requirements regarding the review of DIAPs.

Financial / Risk Considerations

The preparation, exhibition, and finalisation of the draft DIAP can be accommodated within the existing resources of the Strategic Planning Section.

The proposed timeline is based on Council meeting its statutory requirements.

Options

Option 1: Endorse the draft DIAP 2026-2030 for public exhibition.

Under this option, the draft DIAP will be placed on public exhibition for community feedback. Engagement will be undertaken in accordance with the approach outlined above and the DIAP guidelines.

Council will receive a further report post exhibition outlining community feedback and any recommended changes to finalise the DIAP.

This is the recommended option and aligns with the timeframe for Council to have a renewed DIAP in place by 1 July 2026.

Option 2: Remake the disability inclusion action plan, with or without variations.

Council could resolve to remake its current plan without any changes.

This is not recommended as there is an opportunity to refresh the plan inclusive of the consideration of community feedback.

It is also reasonable that a revision of the DIAP involves an opportunity for feedback from members of the community who have a disability and/or experience in relation to disability.

RECOMMENDATION

That Council approves the draft Disability Inclusion Action Plan 2026-2030, as per Attachment 1 to this report, for public exhibition for a minimum period of 28 days.

Attachment(s)

1. Disability Inclusion Action Plan 2026-2030 - Draft [↗](#)

8.1 Use of Council Seal

8. Corporate and Community Division Reports

8.1 Use of Council Seal

RECOMMENDATION

That Council affix the Common Seal to the following documents.

US2026/9	1. That Council, in accordance with the relevant provisions of the Local Government Act 1993 enters the following leases of <i>community land</i> :		
	Property	Tenant	Tenure / Comment
	Part of Kentwell Community Centre known as Office 3 located at 20 Bangalow road, Ballina (on part Lot 246 DP 755684)	CPL – Choice, Passion, Life	Two years with two x two-year options. CPL is a sitting tenant who has requested a new lease.
	Part of Kentwell Community Centre known as the Bernice Kentwell Room located at 20 Bangalow road, Ballina (on part Lot 246 DP 755684)	CPL – Choice, Passion, Life	Two years with two x two-year options. CPL is a sitting tenant who has requested a new lease.
	2. Council authorises the General Manager to affix the seal to the lease documents in point one and any other documents required to allow tenure to be granted in accordance with point one.		
	3. That prior to points one and two being actioned, statutory public notification relating to the proposed lease 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.		

8.1 Use of Council Seal

US2026/10	<p>Variation to Sublease to T Woznitza for Part Lots 321 DP 755745 and 7003 DP 92641 being that part of the building known as the “Old Tintenbar Council Chambers” Alstonville and called Area 3 and 4 to increase the term to eight years to expire on 31 December 2027 with a two-year option.</p> <p>Explanation: T Woznitza has requested an extension of two years on the first term of the sublease for the above property whilst maintaining the option period of two years. The business specialises in remedial massage and Bowen therapy and has been in occupation for more than 10 years.</p>
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Attachment(s)

Nil

8.2 Investment Summary - March 2026

8.2 Investment Summary - March 2026

Section	Financial Services
Objective	To provide details of Council's cash and investments portfolio breakup and performance

Background

In accordance with the Local Government (General) Regulation 2021, the Responsible Accounting Officer of a council must provide a monthly investment report setting out the council's cash and investments.

The report is to be presented at the ordinary meeting immediately following the end of the respective month.

This report provides details of the total funds invested, where the investments are held and other related matters, to confirm that Council is complying with Council's Investment Policy and to ensure transparency.

The Responsible Accounting Officer certifies that the investments made during March 2026, have been made in accordance with the Act, the Regulations and Council's Investment Policy.

Key Issues

- Compliance with Investment Policy
- Return on investments

Discussion

Council's investments are in accordance with Council's Investment Policy, Section 625 of the Local Government Act 1993, and the Local Government (General) Regulation 2021. A copy of the [Investment Policy](#), adopted 27 June 2024, is available on Council's website and linked above.

The total balance of investments, as at 31 March 2026 was \$109.6m compared to a balance as at 28 February 2026 of \$116.6m.

Council's investments, as at 31 March 2026, were invested at a weighted average interest rate of 4.439%, which was 0.693% higher than the weighted average 90 Day Bank Bill Index (BBSW) to 31 March 2026 of 3.746%.

The balance of Council's Commonwealth Bank business account, as at 31 March 2026 was \$27,572,037, compared to a balance of \$15,427,398 as at 28 February 2026. An increased balance is presently being held in the business account to ensure funds are available for major project progress claims as they come due.

Total combined cash and investments, as at 31 March 2026 was \$137,172,037 compared to a balance of \$132,027,398 as at 28 February 2026.

8.2 Investment Summary - March 2026

The net increase of \$5.1m in cash and investments from February to March is mainly the result of rates instalments due the end of February still being received in March, along with water instalments due at the end of March, the receipt of an instalment of Roads to Recovery grant funds and major DA fees received, offset by regular creditor payments.

TCorp's monthly Economic Commentary report for March 2026 can be viewed using the following link: [Monthly economic report – March 2026](#)

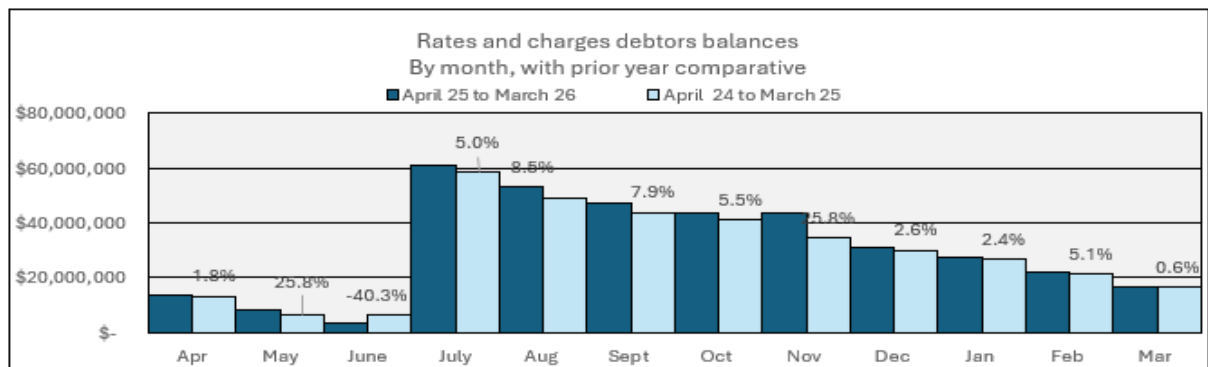
Restricted Reserves

The majority of Council's investment portfolio is restricted by legislation (external) and Council (internal) uses for specific purposes. The following table reflects the portfolio percentages based on 30 June 2025 balances.

Reserve Name	Restriction	% Portfolio*
Wastewater (incl developer contributions)	External	19.03%
Water (incl developer contributions)	External	16.34%
Section 7.11 Developer Contributions	External	21.87%
Domestic Waste Management	External	1.38%
Bonds and Deposits	External	2.59%
Specific Purpose Unexpended Grants	External	6.30%
Commercial Properties	Internal	0.99%
Carry Forward Works	Internal	1.58%
Bypass Maintenance	Internal	2.94%
Management Plans / Studies	Internal	0.66%
Airport	Internal	2.66%
Employee Leave Entitlements	Internal	2.57%
Quarries	Internal	0.41%
Property	Internal	9.40%
Plant and Vehicle Replacement	Internal	0.08%
Open Spaces	Internal	2.11%
Miscellaneous Internal Reserves	Internal	2.18%
Community Facilities	Internal	0.67%
Financial Assistance Grant in Advance	Internal	2.72%
Unrestricted		3.52%
Total		100.00%

Debtors

As per the following chart, as at 31 March 2026, the balance was 0.6% higher than 31 March 2025.



8.2 Investment Summary - March 2026

While this improvement in the level of debt outstanding is pleasing, staff continue to monitor balances and implement timely debt recovery procedures.

A. Investments by Institution

Funds Invested With	Fossil Fuel Free / Green Investment	Rating S&P	28 February \$'000	31 March \$'000	Quota %	% of Total
AMP Bank	Yes	BBB+	1,000	1,000	20%	0.91%
Bank Australia Ltd (was Australian Unity Bank)	Yes	BBB+	14,000	12,000	20%	10.95%
Bank of Queensland	Yes	A-	10,000	10,000	20%	9.12%
BankVic	n/a	BBB+	5,000	5,000	20%	4.56%
Bendigo & Adelaide Bank	Yes	BBB+	1,000	1,000	20%	0.91%
Commonwealth Bank	No	AA-	1,000	1,000	20%	0.91%
Great Southern Bank	Yes	BBB+	8,000	8,000	20%	7.30%
Heartlands Bank Australia	n/a	BBB	8,000	8,000	20%	7.30%
Judo Bank	Yes	BBB	8,000	8,000	20%	7.30%
Macquarie Bank	No	A+	1,600	1,600	20%	1.46%
MyState Bank Ltd	Yes	BBB+	10,000	10,000	20%	9.12%
National Australia Bank	No	AA-	8,000	6,000	20%	5.47%
Newcastle Greater Mutual Group Ltd	Yes	BBB+	1,000	-	20%	0.00%
Rabobank Australia Ltd	No	A	18,000	16,000	20%	14.60%
Suncorp Limited	No	A+	4,000	4,000	20%	3.66%
Unity Bank Ltd	Yes	BBB+	4,000	4,000	20%	3.66%
Westpac Bank Corp	No*	AA-	14,000	14,000	20%	12.77%
Total			116,600	109,600		100.0%

* All investments held with Westpac Bank are combined for reporting by institution – this total includes some Green Investments

Credit Rating Summary as per the Investment Policy	Maximum Allowed		Value 28 February \$'000	Value 31 March \$'000	%	%
	%	Value \$'000				
A- or Higher	100%	109,600	57,600	53,600	49.4%	48.9%
BBB	60%	65,760	59,000	56,000	50.6%	51.1%
Total			116,600	109,600	100.0%	100.0%

Liquidity Risk Parameters as per the Investment Policy	Maximum Allowed		Value 28 February \$'000	Value 31 March \$'000	%	%
	%	Value \$'000				
Term equal to 1 year or less	100%	109,600	97,000	91,000	83.2%	83.0%
Term > 1 year and < 3 years	40%	43,840	6,600	6,600	5.7%	6.0%
Term > 3 years	20%	21,920	13,000	12,000	11.1%	11.0%
Total			116,600	109,600	100.0%	100.0%

Fossil Fuel Free and Green Investments

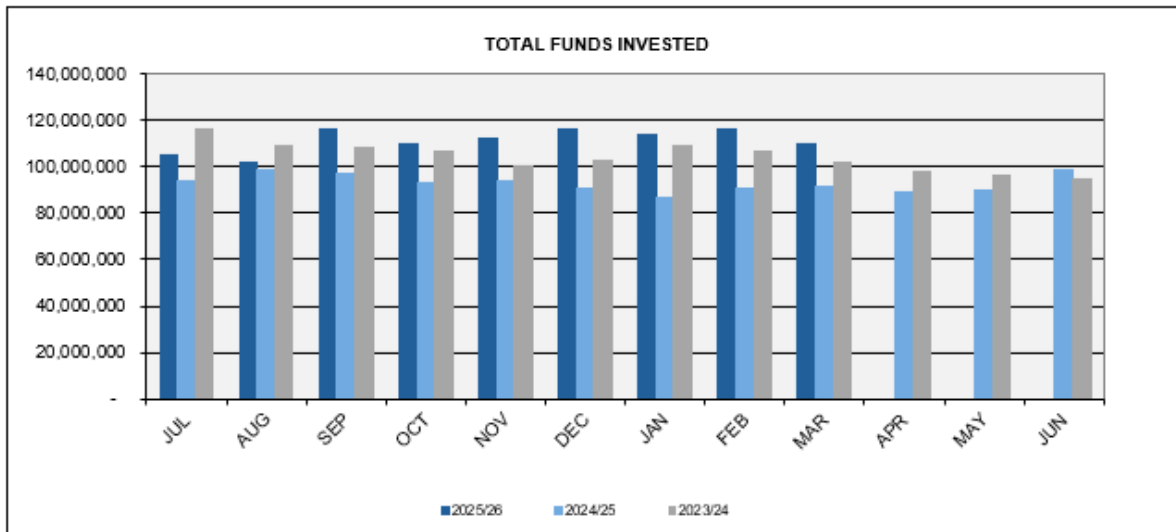
Environmental Classification	28 February		31 March	
	(\$'000)	(%)	(\$'000)	(%)
Fossil Fuel Aligned Investments	34,600	29.7	30,600	27.9
Non-Fossil Fuel and Green Aligned Investments	69,000	59.2	66,000	60.2
Not Classified	13,000	11.1	13,000	11.9
Total	116,600	100.0	109,600	100.0

In March 2026, eleven investments matured totalling \$17.6m. Five of these investments were held with non-fossil fuel aligned institutions totalling \$7.0m.

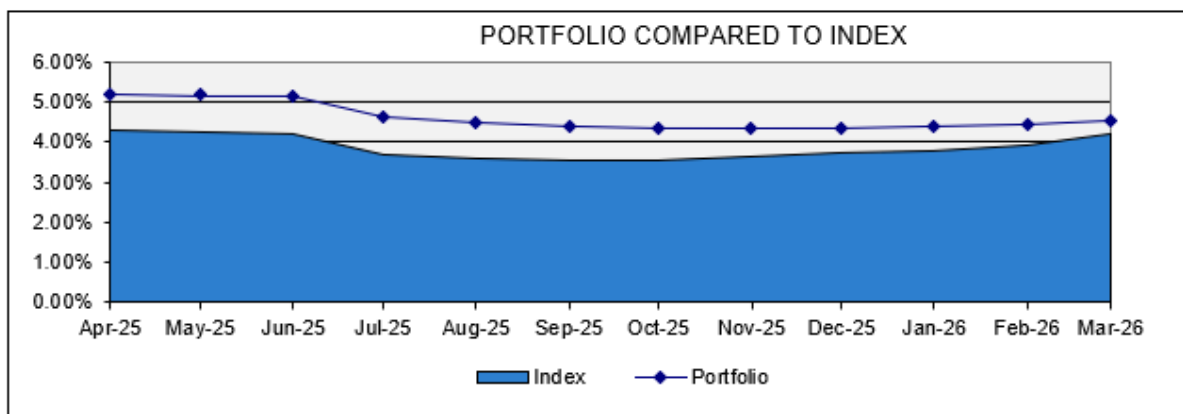
8.2 Investment Summary - March 2026

Seven new investments, totalling \$10.6m, were placed. Three of these investments were with non-fossil fuel aligned institutions totalling \$4.0m.

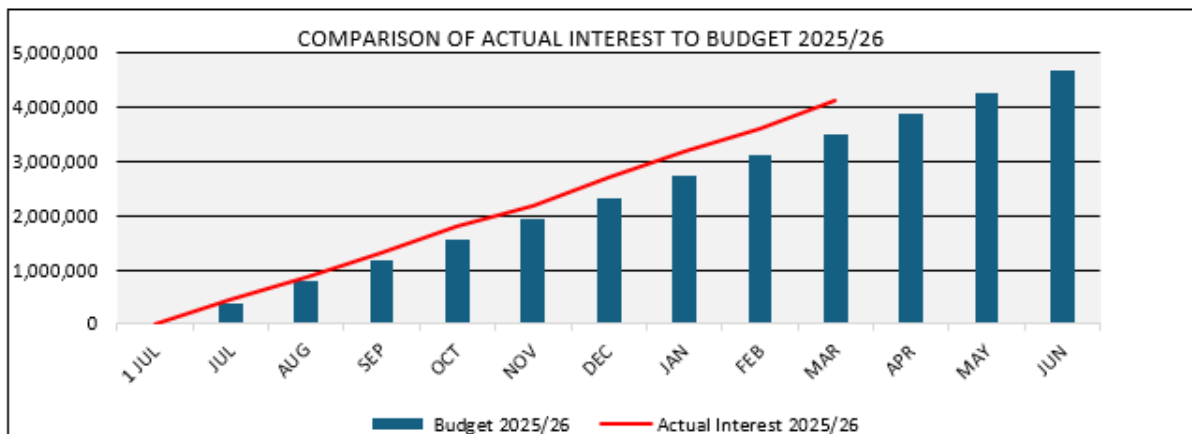
B. Monthly Comparison of Total Funds Invested



C. Comparison of Portfolio Investment Rate to 90 Day BBSW



D. Progressive Total of Interest Earned to Budget



8.2 Investment Summary - March 2026

E. Investments held as of 28 February 2026 and 31 March 2026

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	28 February \$'000	31 March \$'000
04/03/21	Newcastle Greater Mutual Group Ltd	FRN	4.30%	04/03/26	1,000	-
18/06/21	Bendigo & Adelaide Bank	FRN	4.91%	18/06/26	1,000	1,000
29/06/23	AMP Bank	FRN	5.97%	29/06/26	1,000	1,000
14/09/23	Macquarie Bank Limited	FRN	5.02%	14/09/26	1,600	1,600
20/02/24	Westpac Banking Corporation	FRN	4.86%	20/02/29	2,000	2,000
19/03/24	Suncorp-Metway Limited	FRN	5.25%	19/03/29	1,000	1,000
22/08/24	Commonwealth Bank of Australia	FRN	4.86%	22/08/29	1,000	1,000
30/05/25	National Australia Bank	TD	4.20%	03/03/26	2,000	-
03/06/25	Australian Unity Bank Ltd	TD	4.35%	03/03/26	2,000	-
03/06/25	Australian Unity Bank Ltd	TD	4.35%	02/04/26	2,000	2,000
03/06/25	Australian Unity Bank Ltd	TD	4.35%	03/06/26	2,000	2,000
10/06/25	Rabobank Bank Australia Ltd.	TD	4.31%	17/03/26	2,000	-
24/07/25	Westpac Banking Corp - Green	TD	4.19%	23/07/26	2,000	2,000
24/07/25	Westpac Banking Corp - Green	TD	4.17%	21/04/26	2,000	2,000
29/07/25	Rabobank Australia Ltd.	TD	4.28%	21/07/26	2,000	2,000
29/07/25	Rabobank Australia Ltd.	TD	4.20%	28/07/26	2,000	2,000
29/07/25	Rabobank Australia Ltd.	TD	4.20%	31/03/26	2,000	-
02/09/25	National Australia Bank	TD	4.15%	01/06/26	2,000	2,000
03/09/25	Rabobank Australia Ltd.	TD	4.14%	03/03/26	2,000	-
03/09/25	Unity Bank	TD	5.00%	03/06/26	2,000	2,000
09/09/25	Suncorp-Metway Limited	TD	4.11%	09/06/26	2,000	2,000
16/09/25	National Australia Bank	TD	4.15%	12/05/26	2,000	2,000
23/09/25	National Australia Bank	TD	4.20%	21/05/26	2,000	2,000
25/09/25	Rabobank Australia Ltd.	TD	4.64%	24/09/30	4,000	4,000
25/09/25	Bank of Queensland	TD	4.20%	24/03/26	2,000	-
25/09/25	Westpac Banking Corp - Green	TD	4.12%	22/09/28	4,000	4,000
25/09/25	Westpac Banking Corp - Green	TD	4.19%	25/05/26	2,000	2,000
25/09/25	Westpac Banking Corp - Green	TD	4.18%	26/06/26	2,000	2,000
30/09/25	Bank of Queensland	TD	4.28%	30/09/30	3,000	3,000
07/10/25	Suncorp-Metway Limited	TD	4.30%	05/05/26	1,000	1,000
07/10/25	BankVic	TD	4.25%	04/08/26	2,000	2,000
13/10/25	Bank of Queensland	TD	4.35%	13/04/26	1,000	1,000
14/10/25	Unity Bank	TD	4.25%	14/07/26	2,000	2,000
11/11/25	Australian Unity Bank Ltd	TD	4.37%	09/06/26	1,000	1,000
11/11/25	Australian Unity Bank Ltd	TD	4.37%	12/05/26	1,000	1,000
11/11/25	Australian Unity Bank Ltd	TD	4.35%	11/11/26	2,000	2,000
19/11/25	BankVic	TD	4.40%	17/11/26	2,000	2,000
09/12/25	Rabobank Australia Ltd.	TD	4.52%	09/12/26	2,000	2,000
09/12/25	MyState Bank Ltd	TD	4.60%	17/06/26	2,000	2,000
09/12/25	MyState Bank Ltd	TD	4.60%	11/06/26	2,000	2,000
09/12/25	MyState Bank Ltd	TD	4.60%	16/07/26	2,000	2,000
16/12/25	Rabobank Australia Ltd.	TD	4.52%	16/12/25	2,000	2,000
16/12/25	Judo bank Pty Ltd	TD	4.60%	16/12/25	2,000	2,000
17/12/25	Great Southern Bank	TD	4.60%	17/12/25	2,000	2,000
17/12/25	Great Southern Bank	TD	4.61%	17/12/25	2,000	2,000
17/12/25	MyState Bank Ltd	TD	4.60%	17/12/25	2,000	2,000
17/12/25	MyState Bank Ltd	TD	4.65%	17/12/25	2,000	2,000

8.2 Investment Summary - March 2026

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	28 February \$'000	31 March \$'000
05/01/26	Bank Australia Ltd	TD	4.50%	05/01/27	2,000	2,000
06/01/26	Judo bank Pty Ltd	TD	4.70%	05/01/27	2,000	2,000
13/01/26	Judo bank Pty Ltd	TD	4.70%	12/01/27	2,000	2,000
13/01/26	Bank of Queensland	TD	4.50%	13/07/26	2,000	2,000
20/01/26	Bank of Queensland	TD	4.50%	20/10/26	2,000	2,000
03/02/26	BankVic	TD	4.75%	02/02/27	1,000	1,000
05/02/26	Heartland Bank Australia	TD	4.95%	02/02/27	2,000	2,000
05/02/26	Heartland Bank Australia	TD	4.85%	03/11/26	2,000	2,000
11/02/26	Heartland Bank Australia	TD	4.95%	27/01/27	2,000	2,000
11/02/26	Judo bank Pty Ltd	TD	4.95%	10/02/27	2,000	2,000
11/02/26	Great Southern Bank	TD	4.85%	09/12/26	2,000	2,000
26/02/26	Heartland Bank Australia	TD	5.00%	02/03/27	2,000	2,000
26/02/26	Great Southern Bank	TD	4.91%	24/02/27	2,000	2,000
26/02/26	Unity Bank Ltd	TD	4.85%	24/11/26	2,000	2,000
02/04/07	Rabobank Australia Ltd.	TD	5.16%	17/03/27	-	2,000
12/05/07	Bank of Queensland	TD	5.15%	22/09/26	-	2,000
24/04/07	Rabobank Australia Ltd.	TD	5.46%	30/03/27	-	2,000
	Total				116,600	109,600
	TD=Term Deposit; FRN=Floating Rate Note					

RECOMMENDATION

That Council notes the record of banking and investments for March 2026.

Attachment(s)

Nil

8.3 Public Forum Rules - Review

8.3 Public Forum Rules - Review

Section Governance

Objective To respond to a resolution to review the rules that Council has adopted in respect to Public Forums.

Background

Council resolved, as follows, at the 26 March 2026 Ordinary meeting.

That Council receive a report at the April 2026 Ordinary meeting on the Public Forum rules with options included to make maximum use of the available time allocated.

This report provides a response to the resolution.

Key Issues

- Efficient and effective use of time allocated for the public forum

Discussion

The Office of Local Government Model Code of Meeting Practice (the Model Code) includes the following mandatory provisions in respect to Public Forums:

4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council.

4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.

4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums

Council can determine the rules for Public Forums, and the only proviso is that the livestreaming provisions of the Model Code must apply. This ensures that Public Forums are livestreamed, recorded, and retained on the council website for at least 12 months (clauses 5.36 to 5.41 of the Model Code).

Council adopted the current Public Forum Rules, at the 11 December 2025 Ordinary meeting. The rules are the same as the deputation process that previously existed, prior to the new Model Code being adopted, which also occurred at the 11 December 2025 Ordinary meeting. The one change was a reduction in the number of deputations for a report, from two to one, for and against.

The change to two speakers had been a recent change, occurring at the 26 June 2025 Ordinary meeting.

8.3 Public Forum Rules - Review

The adopted Public Forum rules are now as follows.

1. *Public forums are to take place 30 minutes immediately prior to each Ordinary, or Extraordinary, meeting, of the council. This period will be shortened to 15 minutes for committee meetings, subject to point 2.*
2. *The General Manager is authorised to start the public forums earlier than 30 minutes (or 15 minutes for committees), if the number of deputations potentially exceeds the time allocated, based on an allowance of five minutes per deputation. The list of deputations must be provided to Councillors, normally by email, the afternoon before the scheduled commencement time for the meeting.*
3. *Each public forum shall be concluded before the commencement of the meeting of the council. Public forums do not form part of the meeting of the council and will not form part of the council meeting minutes.*
4. *The chairperson for public forums shall be the mayor, or at the request of or in the absence of the mayor, the deputy mayor.*
5. *Requests to speak at a public forum must be lodged in writing, or by phone, to the general manager's office, by noon on the day before the public forum. Requests to speak must identify the item of business on the agenda for the council meeting they wish to speak to. The person must identify whether they wish to speak "for" or "against" the item.*
6. *The general manager may refuse an application to speak at a public forum. Written reasons for refusal must be provided by the general manager.*
7. *If a person who has submitted a request to speak at a public forum wishes to use any audio-visual material at the public forum (such as presentation slides) or hand out any written material to councillors at the public forum, the material must be provided to the general manager by noon the day before the public forum. The general manager may refuse to allow such material to be presented. Any written material or audio-visual material provided for a public forum will become a council document, and access to that document may be given to members of the public in accordance with the requirements of the Government Information (Public Access) Act 2009.*
8. *No more than one speaker is to be permitted to speak "for" and no more than one speaker is to be permitted to speak "against" each item of business on the agenda for the meeting.*
9. *Speakers on the same item of business on the agenda will be listed together, with the speaker "against" the item speaking first, and the speaker "for" the item speaking second.*
10. *Each speaker will be allowed five minutes to address the council. If a speaker has to set up any audio-visual material or hand out any written material, the setup time is included in the total time of five minutes allocated.*
11. *A person will be limited to speaking to a maximum of two items of business on the agenda*
12. *Speakers at public forums cannot ask questions of the council, councillors or council staff.*

With Council allocating set times for the Public Forum, two items that have contributed to the Council resolution and this report, is when there are members

8.3 Public Forum Rules - Review

of the community in the gallery, who may wish to speak and there is time remaining for the public forum, they currently cannot technically speak, as they have not been registered by noon the previous day, or there may be people in the gallery who would be the second speaker for or against a particular item.

The Public Forum Rules were not followed at the 26 March 2026 Ordinary meeting, where there was one speaker registered for the Public Forum, however Council accepted three speakers on the same report, with the Public Forum not finishing until 9.22am after commencing at 9am. This is inconsistent with clause 8 of Council's current Public Forum Rules.

Councillors were also able to ask the speakers questions. This is inconsistent with clause 12, although the current wording talks about speakers asking questions. This wording could be improved, when the practice has always been that Councillors do not ask questions of the speakers.

There appears to be consensus that the time allocated for the Public Forum should be utilised in full, particularly when you have Councillors in attendance. The difficulty is in getting the right balance between flexibility, while at the same time having rules in place in respect to registering the day before, and ensuring that there is an even balance of speakers on a report.

The Code of Meeting Practice does not bind Public Forums, so Council can include as much flexibility as needed, and the rules can be put aside, when appropriate, so long as there are processes to guide how this occurs.

Council could allow the Chair to make decisions on adding extra speakers, or asking questions, at the Public Forum, or alternatively this could be conducted by a show of hands. Even though the Code of Meeting Practice does not apply, a show of hands is a transparent process to vary the adopted rules.

Council could return to having two speakers, although, to ensure fairness, that should only occur when there is time available in the Public Forum.

Delivery Program Strategy / Operational Plan Activity

This report is linked to Community Strategic Plan Outcome EL1 – Decision making is inclusive, transparent, and underpinned by Sustainability. The relevant Delivery Program Strategy is EL1.2 - Involve our community in our planning and decision-making processes.

Community Engagement Strategy

Public forums provide one avenue for the community to be engaged in Council meetings.

Financial / Risk Considerations

There are no financial / risk considerations in respect to this report.

Options

There are numerous options available, and Council needs to determine the most efficient and equitable process for the Public Forum, while at the same

8.3 Public Forum Rules - Review

time maximising the community engagement. If the aim is to fully utilise the time available, possible changes to the Public Forum Rules are as follows.

Table 1 – Ballina Shire Council – Public Forum Rules

Existing Points	Comment
1	No change
2	No change
3	No change
4	No change
5	No change
6	No change
7	No change
8	One speaker is permitted to speak “for” and one speaker is permitted to speak “against” each item of business on the agenda for the meeting. The general manager may approve more than one speaker, when the time for the public forum is not fully allocated.
9	No change
10	No change
11	No change
12	Speakers at public forums cannot ask questions of the councillors or council staff. The Chair may allow councillors to ask questions of the speaker(s), when there is time remaining in the public forum, and that decision is supported by a majority show of hands from councillors.
New	The Chair may allow a speaker, who is not registered to speak, the opportunity to speak, subject to there being time remaining in the public forum, and that decision is supported by a majority show of hands from the councillors.

The last point raises the issue of Councillors not having notice of the topic / report for the additional speaker, however this would only occur if supported by a majority of Councillors.

In conclusion, Council has full autonomy in setting the Public Forum Rules and the rules can continue to be reviewed until operating effectively. It is difficult to cover every situation that may arise, and the management of the Public Forum will rely heavily on the Chair to determine the appropriate course of action.

RECOMMENDATION

That Council adopts the updated Public Forum Rules, as per Table 1 of this report.

Attachment(s)

Nil

8.4 Tender - Public Art Fabrication - Ballina Bridges Duplication

8.4 Tender - Public Art Fabrication - Ballina Bridges Duplication

Section	Strategic Planning
Objective	To report the outcomes of the tender evaluation for the Tender - Public Art Fabrication - Ballina Bridges Duplication

Background

The works to be undertaken under this contract are the fabrication of public art elements for installation on the Ballina Bridges Duplication Project.

Tenders were invited from a list of companies under a selective tendering method following an expression of interest process.

Expressions of interest (EOI) were called on 10 July 2025 and at the close of submissions on 7 August 2025, eight submissions were received.

Following the EOI process, tenders were invited on 18 November 2025 and closed on 12 February 2026, with two submissions received.

This report outlines the results of the public tender process.

Key Issues

- Comply with the Local Government (General) Regulation 2021
- Obtain value for money

Discussion

One hundred and thirty-one companies downloaded the documentation with submissions received from:

- Art Public Pty Ltd
- Event Engineering Pty Ltd
- Horne Art Studio Pty Ltd
- Main Arm Makers
- Outsource Resource
- Parts Department Pty Ltd
- The Trustee for Liam Hardy Family Trust T/A Sculpt Studios
- UAP Australia Pty Ltd

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

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

8.4 Tender - Public Art Fabrication - Ballina Bridges Duplication

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

- Demonstrated Experience, Project Management and Technical Skills 40%
- Understanding of Project Requirements, Methodology and Timing 40%
- Social and Community Considerations 20%

Pricing was not requested during the expression of interest stage, as this was to form part of the evaluation criteria for the invited tender stage.

After evaluations of expressions of interest, three companies were invited to participate in the invited tender process and were evaluated using the following weighted criteria:

- Price 25%
- Demonstrated experience, project management and technical skills 30%
- Understanding of project requirements, suggest methodology and timing 30%
- Social and Community 15%

Main Arm Makers have been assessed as the preferred tenderer based on the evaluation. Details of the assessment and pricing options have been provided to Councillors by a confidential memorandum.

Delivery Program Strategy / Operational Plan Activity

The fabrication of public art for the Ballina Bridges Duplication Project is aligned with strategies LP2.3 – Enhance town centres to facilitate long-term growth and CC2.3 – Support and promote our cultures and heritage in the Community Strategic Plan.

The works are also aligned with strategies C2.1 – Incorporate public art and lighting installations into public spaces and infrastructure and C4.2 – Implement amenity treatments to key gateways and entrances to improve the amenity when entering Ballina under the Ballina Major Regional Centre Strategy.

Community Engagement Strategy

Council has undertaken the tender process in accordance with the terms of the Local Government Act and associated Regulation.

Relevant to this matter, Section 55 of the Local Government Act 1993 (NSW) states that:

- (1) A council must invite tenders before entering into any of the following contracts:
 - (f) a contract for the provision of services to the council (other than for the contract of the provision of banking, borrowing or investment services),

8.4 Tender - Public Art Fabrication - Ballina Bridges Duplication

Division 2 (Prerequisites for tendering) section 166 of the Local Government (General) Regulation 2021 provides for Council to determine whether tenders are to be by open tendering or selective tendering. Section 166(b) states that:

“Whether a council is required by section 55 of the Act to invite tenders before entering into a contract, the council must decide which tendering method(s) is to be used...”

Given the specialty nature of the works and sensitivity of the artwork to be fabricated, it was decided that the most effective result would come from:

(b) the selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement asking for expressions of interest.

Financial / Risk Considerations

Funding of \$400,000 is allocated for the artwork from a project budget of approximately \$80m for 2025/26 and 2026/27. The total cost of the preferred tender is \$397,550.00, excluding GST.

Options

The options for Council are set out in Part 7 Section 178 (1) of the Local Government (General) Regulation 2021, which requires that:

(1) After considering the tenders submitted for a proposed contract, the council must either:

- (a) accept the tender that, having regard to all the circumstances, appears to be the most advantageous, or*
- (b) decline to accept any of the tenders.*

Based on the tender evaluation, it is recommended that Council accept the tender from Main Arm Makers.

RECOMMENDATION

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender and awards the contract to Main Arm Makers for the Tender - Public Art Fabrication - Ballina Bridges Duplication for the total amount of \$397,550.00 (excluding GST).
2. That Council authorises the General Manager to sign the contract documents.

Attachment(s)

1. Confidential Memorandum - Tender Report - Public Art Fabrication - Ballina Bridges Duplication (Confidential)

8.5 Policy (Review) - Related Party Disclosures

8.5 Policy (Review) - Related Party Disclosures

Section	Financial Services
Objective	To review the Related Party Disclosures Policy.

Background

All of Council's existing policies are progressively reviewed to ensure they reflect contemporary practices and legislative requirements. The purpose of this report is to review the Related Part Disclosures policy.

Council last reviewed this policy in July 2022.

Key Issues

- Whether the policy meets the requirements of Council and current legislation

Discussion

The objectives of having a Related Party Disclosures policy include:

- a) ensuring that there are clearly defined procedures for periodically identifying Council's key management personnel (KMP) and KMP related party relationships, including definitions and examples of close family members
- b) providing concise guidance on what constitutes related party transactions and relationships, and factors needing to be considered when determining whether transactions or relations are captured by the disclosure requirements
- c) identifying the procedures and approved forms for the annual reporting of related party transactions, including the Related Party Identification Form and Related Party Transactions Notification Form
- d) ensuring Council's general purpose financial statements comply with AASB 124 Related Party Disclosures

The review of this policy has identified a need to clarify related party transactions in Attachment C, as per page 8 of the policy.

The examples of related party transactions provided for:

- Paying rates
- Use of Council owned facilities such as swimming pools, libraries, parks, sporting fields and other public open spaces (whether charged a fee or not)
- Attending Council functions that are open to the public

8.5 Policy (Review) - Related Party Disclosures

have been removed from the list of examples, as whilst they are related party transactions, they are in the ordinary course of business, at arm's length, and are not required to be disclosed in the financial statements.

Currently the wording is overly onerous, and the preference is to remove transactions that relate to the day-to-day business of Council.

Otherwise, the policy is contemporary and reflects current legislation.

A copy of the policy is attached to the report showing the changes highlighted yellow for additions and red strike through for deletions.

Community Engagement Strategy

It is recommended that Council adopt the policy as presented and place the document on exhibition for public comment.

If any submissions are received, they can be reported back to Council however there will not be a need for any further report if there is no public comment.

Options

Council may accept the policy or propose changes.

It is recommended that the policy be adopted as presented.

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

RECOMMENDATION

1. That Council adopts the Related Party Disclosures 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.

Attachment(s)

1. Policy (Review) - Related Party Disclosures [⇒](#)

8.6 Wollongbar Urban Expansion Area - Residential Land Sales

8.6 Wollongbar Urban Expansion Area - Residential Land Sales

Section Commercial Services

Objective To provide a further report to Council on the proposed sale of Lots 19 to 30 in Wollongbar Urban Expansion Area - Stage 3.

Background

This report relates to Council owned lots upon which it was proposed to develop medium density housing.

The lots are located on Dundee and Elsa Avenues, Wollongbar.

A report on the outcomes of the Wollongbar Medium Density Housing Construction Tender was presented to the Finance and Facilities Committee meeting in February 2026, with Council resolving, at the 26 February 2026 Ordinary meeting, as follows:

- 1. That Council in accordance with the Local Government (General) Regulation 2021 Section 178(1)(b), declines to accept any tenders for the Wollongbar Medium Density Housing - Construction Tender as the tenders submitted would not provide commercial viability for the project.*
- 2. That Council, in accordance with Local Government (General) Regulation 2021 Section 178(3)(a) cancels the proposal for the contract due to the difficulty in Council securing competitive construction tenders for the project.*
- 3. That Council adopt Option 1 to sell, subject to a further report to Council.*

This report responds to point 3 of the resolution.

Key Issues

- Proposed method of sale
- Fair reasonable sale prices for Council property

Discussion

To date, Council has sold Lots 1 to 7, Lot 12, and Lot 31 in 2025/26, with Lots 8 to 11 still on the market.

A copy of the latest sales brochure is included as Attachment 1 to this report.

Should those sales be completed, Council may then offer Lots 13 to 18 for sale.

Staff anticipate the forecast sales could be achieved in 2025/26 and 2026/27. As noted in previous reports, it was proposed to develop a medium density housing project on Lots 19 to 30, however Council resolved not to proceed with

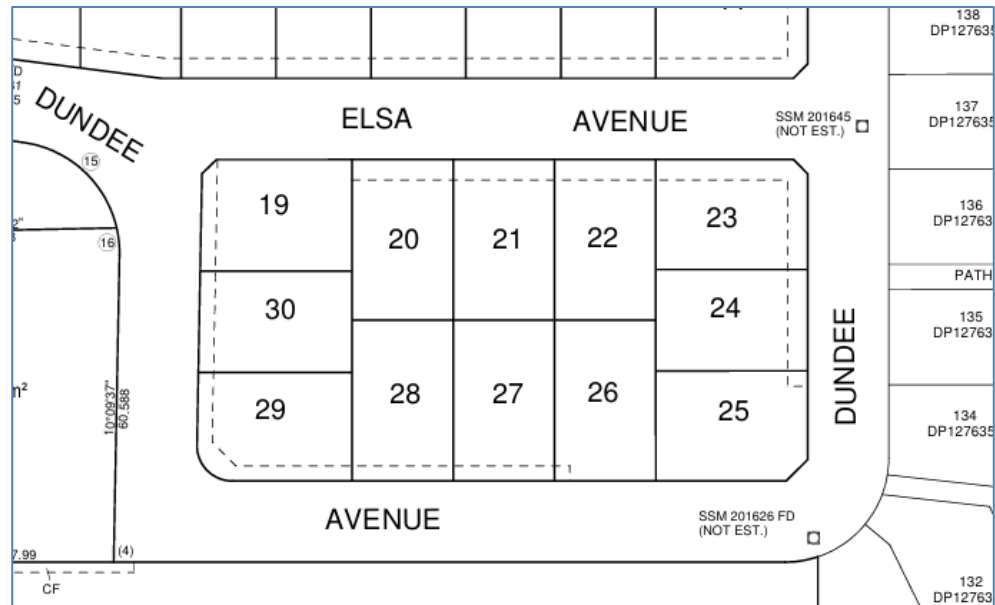
8.6 Wollongbar Urban Expansion Area - Residential Land Sales

that project at the 11 February 2026 Finance and Facilities committee meeting due to construction costs making the project unviable.

Lots 19 to 30 are noted in Figure 1 as follows.

A plan of subdivision is included as Attachment 1 to this report.

Figure 1: Lots 19 – 30



It is proposed that Council proceed to offer these lots to the open market for sale by private treaty progressively, with a commission rate offered to local agents at 2.50% + GST.

This method of sale has proven successful and is consistent with the sales achieved to date on this estate (December 2025 to March 2026).

It is also consistent with Council's [Property Investment and Development Policy](#), which includes the following statement:

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%.

The asking prices for Lots 19 to 30, will be set based on land sales achieved to date on the Estate, and in the local area, and taking into consideration the development consent and plans for the Lots 26 - 30, which may be attractive to a prospective buyer.

Sale contracts will still need to be signed by the Mayor and General Manager. This is consistent with the approach taken by Council for Lots 1 to 12.

Community Engagement Strategy

All lots will be sold through a transparent agency process.

Financial / Risk Considerations

A full financial review of Commercial Property Projects was included in the 13 April 2026 Finance and Facilities Committee meeting agenda.

Options

Option 1

That Council resolves to offer Lots 13 to 30 for sale by private treaty and that asking prices are to be set by the General Manager considering recent land sales on the estate and in the general locality.

Should a sale be negotiated, the sale can proceed to contract with the Mayor and General Manager authorised to execute sale.

This is the recommended approach and has proven successful with lots sold on the Council estate to date.

The recommendation includes Lots 13 to 18 as well, as Council has not previously specifically resolved to sell those lots.

Option 2

Other options could include further auctions, or reporting to Council for each sale negotiated and requiring a Council resolution for the sale to proceed.

Auction is not recommended in the current market due to the lack of enquiry from potential buyers for vacant residential lots.

Reporting proposed sales to Council on a case-by-case basis is also not recommended, due to potential delays resulting in buyers going “cold” and sales falling through.

RECOMMENDATION

That Council approves the sale of Lots 13 to 30 on the Wollongbar Urban Expansion Area by private treaty, with the General Manager authorised to set asking prices in accordance with recent sales achieved on the estate and in the local area, as per Option 1 in this report, with agents' commission to be set at 2.5% plus GST

Attachment(s)

1. Wollongbar Urban Expansion Area - Sales Brochure [⇒](#)
2. Wollongbar Urban Expansion Area - Stage 3 - Subdivision Plan [⇒](#)

8.7 Capital Expenditure - 31 March 2026 Review

8.7 Capital Expenditure - 31 March 2026 Review

Section Governance

Objective To provide an update on the implementation of the 2025/26 capital expenditure program.

Background

Council has a significant capital expenditure program included in the annual Operational Plan.

Due to the magnitude of the program, status reports on the capital projects are provided on a quarterly basis.

The status report provides details on key milestones, along with a comparison between budget and actual expenditure.

This is the third report for 2025/26, and outlines work undertaken for the nine-month period from 1 July 2025 to 31 March 2026.

The report provides an opportunity to review the works program and receive an update on the works underway or planned.

Key Issues

- Status of works

Discussion

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

- Total Project Value - As projects can be delivered over more than one year, this column provides the total project value. This may include expenditure from previous years or estimated expenditure for future years
- Original 2025/26 Estimate - Represents the original 2025/26 estimate, as per the adopted Operational Plan
- Carry Forwards - Includes budgets carried forward from the previous financial year, approved at the August 2025 Ordinary meeting
- Approved Variations – Includes variations approved by Council, through a Quarterly Budget Review, or a separate report on a project
- 2025/26 Estimate - Sum of the original estimate plus carry forwards and variations
- Expended This Year - Expenditure to 31 March 2026 on a cash basis. This figure excludes commitments and accruals
- % Expended - Percentage of budget expended to 31 March 2026 based on the cash expended figures
- Milestone Dates - Major dates such as completion of design and / or planning approval, as well as construction commencement and completion dates
- Status – Provides space for any additional comments.

8.7 Capital Expenditure - 31 March 2026 Review

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

Points of interest in the attachments are as follows.

Open Spaces (Attachment 1)

Ballina Pump Track – Project completed, operational and well received.

Sharpes Beach Master Plan – Project completed, operational and well received.

The primary focus for 2025/26, for Open Spaces, has been the delivery of the above two projects. The priority is now the delivery of playground improvements, albeit several projects are deferred to 2026/27, based on the need for community consultation and then allowing for the estimated timeframes for delivery of the playground equipment. The Meldrum Park Playground Equipment has been ordered, following a second round of consultation by Council, and those works should be completed by June 2026.

In respect to the sports field projects, Williams Reserve is operational, and the topdressing projects have been completed. Minor works at Walsh Park have also been completed. The Fripp Oval Remediation project is largely deferred to 2026/27, based on contractor timing for the work.

Commercial Services (Attachment 2)

Airport – There are savings in completed projects transferred back to the Airport Reserve, with the focus now on the implementation of the Ground Transport Master Plan, particularly the expansion of the car park, during 2026/27 and 2027/28.

Property – Industrial Land – Funds are carried forward to 2026/27 to finalise the infilling of Lots 10,11 and 12 at the Southern Cross Industrial Estate, and for the payment of the developer contributions for the Russellton Industrial Estate, which is now scheduled to occur during 2026/27.

Facilities Management (Attachment 2)

Alstonville Cultural Centre – Refurbishment – This project is due to commence in May 2026, with all preliminary construction activities now completed. Based on likely cash flow payments to the contractor, \$1m is deferred to 2026/27.

Council is still trying to resolve boundary matters with the Alstonville Agricultural Society and there is some risk that this could result in a delay, or variation, with the construction contract. Those discussions are ongoing.

Gallery Deck and Enclosure and the Naval Museum Expansion – The timing of the pre-construction activities, including all approvals and certification, for these two projects, has resulted in funds being deferred to 2026/27.

Information Services (Attachment 2)

CCTV - The tender for the CCTV installation was accepted at the 26 March 2026 Ordinary meeting, with the contract now signed and planning well advanced on delivery of the infrastructure. Part of the funding is deferred to 2026/27 based on forecast cash flows.

Emergency Services, Infrastructure Planning and Resource Recovery (Attachment 3)

The new SES building is close to being finalised and operational.

Water and Wastewater Operations (Attachments 4 and 5)

There are various changes to Water and Wastewater Operations, based on works deferred or budgets reviewed. All changes are funded to or from reserves held within the Water and Wastewater Funds.

Engineering Works (Attachment 6)

Urban and Rural Roads Reconstruction – Several road reconstruction projects are complete, with some projects deferred to 2026/27 based on forecast cash flows.

One significant benefit relates to the Sandpit Airport – Road Access project, which is almost complete. Approximately six months ago, quotations were sought for several stormwater drainage projects. The prices received were well outside the budget and the projects did not progress as planned.

The work is still needed and during the last two months, alternative delivery methods have been investigated. What has resulted is the same projects being sent to the same contractors for pricing, with the only difference being that Council will manage the treatment and disposal of any acid sulphate soils, via the Airport Sandpit. The contractors' prices reduced by up to \$800,000 and this is the first opportunity Council has had in including the Airport Sandpit in a project delivery.

Car Parks – Pat Morton is deferred to 2026/27, due to delays in obtaining all necessary approval for the works.

Stormwater – Tidal gates funding of \$140,000 is deferred to 2026/27, with those funds to be expended on two large pits at Grant Street, Ballina. These are large concrete structures that will be placed in the ground to help ensure that the gates are better protected from extreme weather conditions.

The balance of the funds for 2025/26 are to be expended on the purchase of tidal gates for Kerr Street, Grant Street, Riverside Drive and Cherry Street.

Delivery Program Strategy / Operational Plan Activity

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

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

8.7 Capital Expenditure - 31 March 2026 Review

Community Engagement Strategy

This report is presented for public information. Many of the projects reflect feedback from community engagements.

Financial / Risk Considerations

All the projects carry a degree of risk, financial and management, with risk management forming a major component of any construction project. The following table provides the individual budget adjustments outlined in the attachments to this report.

Table 2 – 31 March 2026 - Capital Expenditure – Budget Variations

Item	Current Budget	Variation	Revised Budget	Comment
Open Spaces				
Prospect Park, Ballina	150,000	(150,000)	0	Defer to 2026/27
Alstonville Creek Restoration	784,000	(750,000)	34,000	Defer to 2026/27
Campbell Park, Alstonville	155,000	(155,000)	0	Defer to 2026/27
Missingham Park, Ballina	420,000	(420,000)	0	Defer to 2026/27
Montwood Park, Lennox Head	180,000	(180,000)	0	Defer to 2026/27
Outdoor Fitness Equipment	58,000	(58,000)	0	Defer to 2026/27
EA Brown Park, Alstonville	300,000	(300,000)	0	Defer to 2026/27
Westland Park, Ballina	165,000	(165,000)	0	Defer to 2026/27
Kingsford Smith Car Park	350,000	(350,000)	0	Defer to 2026/27
Fripp Oval Remediation	1,000,000	(950,000)	50,000	Defer to 2026/27
Sub Total – Open Spaces	3,562,000	(3,478,000)	84,000	
Commercial Services				
Airport – Air-conditioning	600,000	(300,000)	300,000	Saving – Transfer to Reserve
Airport – Ground Transport Plan	505,000	(465,000)	40,000	Transfer to Reserve
Airport – Hangar Site	25,000	(20,000)	5,000	Transfer to Reserve
Airport – Crown Land	0	17,000	17,000	Transfer from Reserve
Property – Sth Cross Industrial	381,000	(360,000)	21,000	Defer to 2026/27
Property – Russellton Industrial	1,410,000	(1,200,000)	210,000	Defer to 2026/27
Stokers Quarry - Rehabilitation	369,000	(360,000)	9,000	Defer to 2026/27
Sub Total – Commercial Servs	3,290,000	(2,688,000)	602,000	
Facilities Management				
Alstonville Cultural Centre	2,546,000	(1,000,000)	1,546,000	Defer to 2026/27
Gallery – Desk and Enclosure	125,000	(115,000)	10,000	Defer to 2026/27
Naval Museum - Expansion	450,000	(425,000)	25,000	Defer to 2026/27
Depot – Fuel	720,000	(700,000)	20,000	Defer to 2026/27
Information Services				
CCTV Installation	500,000	(300,000)	200,000	Defer to 2026/27
Water Operations				
Main Renewals – Stonehenge	300,000	(50,000)	250,000	Saving – Transfer to Reserve
Main Renewals – Coast Road	90,000	(30,000)	60,000	Saving – Transfer to Reserve
Main Renewals – Fox Street	300,000	50,000	350,000	Transfer from Reserve
Sub Total – Water Operations	690,000	(30,000)	660,000	
Wastewater Operations				
Main Renewals – Relining	750,000	40,000	790,000	Transfer from Reserve
Main Extension – Palm Lake	200,000	(75,000)	125,000	Saving – Transfer to Reserve
RW Main – Ferngrove	290,000	(60,000)	230,000	Saving – Transfer to Reserve

8.7 Capital Expenditure - 31 March 2026 Review

Item	Current Budget	Variation	Revised Budget	Comment
RW Main – Prospect Bridge	590,000	(90,000)	500,000	Saving – Transfer to Reserve
RW Main – Serpentine	320,000	(250,000)	70,000	Defer to 2026/27
RW Main – Canal Bridge	550,000	(300,000)	250,000	Defer to 2026/27
Distribution Main – Lennox Head	350,000	(350,000)	0	Saving – Transfer to Reserve
Rising Main – Alstonville High	250,000	(240,000)	10,000	Defer to 2026/27
Pump Station – Lindsay Avenue	97,000	(47,000)	50,000	Saving – Transfer to Reserve
Pump Station – Various	1,500,000	(800,000)	700,000	Saving – Transfer to Reserve
Treatment – Ballina Solar	130,000	(130,000)	0	Defer to 2026/27
Treatment – Sludge Digester	895,000	(875,000)	20,000	Transfer to Reserve
Treatment – Lennox Return	80,000	(60,000)	20,000	Transfer to Reserve
Treatment – Lennox WAS Pump	150,000	(120,000)	30,000	Defer to 2026/27
Treatment – Lennox Catch Pond	50,000	(50,000)	0	Transfer to Reserve
Treatment – Lennox Low Lift	150,000	(30,000)	120,000	Saving – Transfer to Reserve
Treatment – Lennox Pontoon	100,000	(80,000)	20,000	Defer to 2026/27
Treatment – Alstonville Inlet	458,000	(308,000)	150,000	Saving – Transfer to Reserve
Treatment – Alstonville WAS	150,000	(100,000)	50,000	Defer to 2026/27
Sub Total – Wastewater Ops	7,060,000	(3,925,000)	3,135,000	
Engineering Works				
Urban Roads				
Tamarind Drive – Canal Bridge	11,000,000	(10,000)	10,990,000	Trans to Evacuation Route
Reseals Urban	610,000	(150,000)	460,000	Defer to 2026/27
Evacuation Route Raising	30,000	10,000	40,000	Trans from Canal Bridge
Tamar Street, Ballina	40,000	(30,000)	10,000	Defer to 2026/27
Temple Street, Ballina	473,000	(50,000)	423,000	Trans to Empire Vale Road
Rural Roads				
River Bank Road	280,000	(20,000)	260,000	Trans to Humpty Back Road
Hermans Lane	566,000	(50,000)	516,000	Trans to Empire Vale Road
Humpty Back Road	263,000	20,000	283,000	Trans from River Bank Road
Empire Vale Road	418,000	100,000	518,000	Trans \$50K Hermans Lane / Temple Street
Teven Road	269,000	(210,000)	59,000	Defer to 2026/27
Landslip – Sneaths Road	326,000	(260,000)	66,000	Defer to 2026/27
Landslip – Marom Creek	156,000	(100,000)	56,000	Defer to 2026/27
Landslip – Tamarind Drive	445,000	(350,000)	95,000	Defer to 2026/27
Landslip – Forest Road	180,000	(140,000)	40,000	Defer to 2026/27
The Coast Road	272,000	225,000	497,000	Trans from Kirklands and Regional Roads
Kirklands Road	725,000	(125,000)	600,000	Trans to The Coast Road
Footpaths and Shared Paths				
Ross Lane / Byron Bay Road	0	10,000	10,000	Trans from Footpath Reserve
Bus Shelters and Car Parks				
Roundabout – Retaining Wall	25,000	(25,000)	0	Defer to 2026/27
Car Park – Pat Morton	900,000	(880,000)	20,000	Defer to 2026/27
Stormwater				
Kerr Street, Ballina	110,000	(110,000)	0	Defer to 2026/27
Tidal Gates	248,000	(140,000)	108,000	Defer to 2026/27
Martin Street, Ballina	148,000	(110,000)	38,000	Defer to 2026/27
Lindsay Crescent, Wardell	20,000	(20,000)	0	Transfer to Mellis Circuit
Greenfield Drive, Lennox Head	230,000	(220,000)	10,000	Defer to 2026/27
Rossmore Park, Alstonville	88,000	(86,000)	2,000	Defer to 2026/27

8.7 Capital Expenditure - 31 March 2026 Review

Item	Current Budget	Variation	Revised Budget	Comment
Mellis Circuit, Alstonville	249,000	20,000	269,000	Trans from Lindsay Crescent
Rutherford Street, Lennox Head	50,000	(50,000)	0	Transfer to Reserve
Transport for NSW				
Regional Roads Reseals	296,000	(100,000)	196,000	Trans to The Coast Road
Sub Total – Eng Works	18,417,000	(2,851,000)	15,566,000	

Options

This report provides an overview of the implementation of the 2025/26 capital expenditure program. Cash expenditure to 31 March 2026 is approximately \$32m on a cash basis, out of a total budget of \$68m, as per the following summary.

**Table 3 – Capital Works Summary by Section and Division
31 March 2026**

Section Results	Budget (\$)	Expended (\$)	% Expended
Open Spaces	4,479,000	3,761,500	84%
Health and Environment	94,000	35,900	38%
Commercial Services	1,363,000	921,100	68%
Facilities Management	5,915,000	2,268,800	38%
Destination and Economy	90,000	89,500	99%
Information Services	200,000	0	0%
Asset Mgmt and Emergency Services	4,758,000	3,235,400	68%
Resource Recovery	682,000	309,100	45%
Water Operations	2,809,000	1,600,700	57%
Wastewater Operations	6,781,000	4,237,600	62%
Engineering Works	41,292,000	15,881,200	38%
Total	68,463,000	32,340,800	47%
Division Results			
Planning and Environmental Health	4,573,000	3,797,400	83%
Civil Services	56,322,000	25,264,000	45%
Corporate and Community	7,568,000	3,279,400	43%
Total	68,463,000	32,340,800	47%

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

Council has approved major contracts, particularly for the Bridge Duplications, and the Alstonville Cultural Centre, and with those two contracts about to commence construction works, this should significantly increase the rate of expenditure during the final quarter.

In conclusion, the recommendations that follow relate to noting the contents of this Capital Expenditure Review report, along with approving the budget changes identified in Table 2 of this report.

RECOMMENDATION

1. That Council notes the contents of this report regarding the 2025/26 capital expenditure review for the period ending 31 March 2026.
2. That Council approves the budget variations, as per Table 2 of this report.

8.7 Capital Expenditure - 31 March 2026 Review

Attachment(s)

1. Capital Expenditure - Division - Planning and Environmental Health - 31 March 2026 [⇒](#)
2. Capital Expenditure - Division - Corporate and Community - 31 March 2026 [⇒](#)
3. Capital Expenditure - Division - Civil Services - Emergency Services, Infrastructure Planning and Resource Recovery - 31 March 2026 [⇒](#)
4. Capital Expenditure - Division - Civil Services - Water Operations - 31 March 2026 [⇒](#)
5. Capital Expenditure - Division - Civil Services - Wastewater Operations - 31 March 2026 [⇒](#)
6. Capital Expenditure - Division - Civil Services - Engineering Works - 31 March 2026 [⇒](#)

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Section Governance

Objective To provide the quarterly update on the implementation of the 2025/26 to 2028/29 Delivery Program and 2025/26 Operational Plan.

Background

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

406 Integrated planning and reporting guidelines

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

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

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

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

Monitoring the Delivery Program

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

Even though six-monthly reports are required, the preferred approach is to provide quarterly reports to ensure the information is timely. This report represents the third quarterly review of the implementation of the 2025/26 to 2028/29 Delivery Program and 2025/26 Operational Plan, with the information based on the nine-month period from 1 July to 31 March 2026. The review is included as Attachment 1 to this report.

The attachment provides an overview of all the actions and indicators included in the Delivery Program and Operational Plan (DPOP), with comments provided by the Director. The DPOP is available on Council’s website and is also accessible on the Councillor hub.

The actions and indicators in the DPOP reflect the adopted priorities for Council.

A new DPOP is prepared, publicly exhibited, and adopted each year, between March and June, for the following financial year.

The report also includes updates on other matters related to the Delivery Program, typically arising from earlier Council resolutions.

Key Issues

- Outcomes and trends

Discussion

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

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

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

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

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

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

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

There are 105 Program Actions listed in the Attachment 1 and the following two tables provide an overview of the status of the actions on a number and percentage basis.

Program Actions Summary - By Division and Number (#)

Division / Status	C&C	Civil	PEH	Total
Green	18	26	53	97
Amber	0	2	6	8
Red	0	0	0	0
Total	18	28	59	105

Program Actions Summary - By Division and Percentage (%)

Division / Status	C&C	Civil	PEH	Total
Green	100	93	90	92
Amber	0	7	10	8
Red	0	0	0	0
Total	100	100	100	100

Items of note in the attachment include:

- Wollongbar Urban Expansion Area – Residential (page 2) – Council resolved to cancel the Residential Housing Project at the 26 February 2026 Ordinary meeting. Council has sold 8 of 12 lots placed on the market.

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

- Participate in and leverage opportunities to market the Ballina Coast and Hinterland (page 2) – New Visitor Guide launched during the quarter.
- Pursue Financial Sustainability (page 4) – Application for a special rate variation submitted to the Independent Pricing and Regulatory Tribunal (IPART) during the quarter, with the outcome of that application to be confirmed by IPART during May 2026.
- Progress availability of land at the Russellton Industrial Estate (page 6) – Successful auction held during March 2026 with six of seven lots sold.
- Implement Independent Report on the Development Assessment Process Review (page 7) – Recommendations continue to be implemented, with the Development Applications – Work in Progress report earlier in this agenda, providing details.
- Implement Healthy Waterways Strategy (page 11) – Large number of projects continue to be implemented through this recurrent revenue source.
- Prepare a Management Plan for Spoonbill Reserve (page 14) – Council resolved at the 26 February 2026 Ordinary meeting, to exhibit a draft plan for public comment.
- Develop Car Park Upgrade Program (page 20) – Report prepared and presented to 13 April 2026 Finance and Facilities Committee meeting.

In respect to Service Delivery, there are a total of 95 indicators identified in the Operational Plan. The following two tables provide an overview of how the indicators are tracking against the benchmark, again on a number and percentage basis.

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

Service Indicators Summary - By Division and Number (#)

Division / Status	C&C	Civil	PEH	Total
Green	30	18	19	67
Amber	14	5	8	27
Red	0	0	1	1
Total	44	23	28	95

Service Delivery Indicators Summary - By Percentage (%)

Division / Status	C&C	Civil	PEH	Total
Green	68	78	68	71
Amber	32	22	29	28
Red	0	0	3	1
Total	100	100	100	100

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

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Items of note include:

- Number of Passengers for Ballina Byron Airport (page 26) - Passenger numbers increased significantly during March quarter and this has been marked as green as the increase should result in the target being met for 2025/26.
- Minimise Vacancy Rate for Council Owned Commercial Properties (page 27) – Significant vacancy as Department of Communities and Justice (DCJ) has vacated 89-91 Tamar Street, Ballina. This building comprises an area of 2,012m² representing 34.70% of the total 5,798m² of commercial and retail space in Council's property investment portfolio.
- Community Facilities (pages 27-29) – Usage of the community facilities is overall positive.
- Swimming Pool Patrons (page 31) - Ballina swimming pool numbers are down on 2024/25, however overall income is up.
- Development Assessment (page 34) – The average days to determine a DA remains under the benchmark, after many years of dealing with a post COVID backlog. Comprehensive details on this are provided in the Development Applications – Work in Progress report, earlier in this agenda.
- Number of Events Approved by Council (page 35) – This indicator is well up on recent years, confirming a high number of events occurring within the Ballina Shire.
- Seven Mile Beach 4WD Permits and Trip Numbers (page 35) – Total trips for the year to date is 8,507, which on trend is slightly lower than the 13,906 for 2024/25.

Other Matters Relevant to the Delivery Program

Ballina and Northern Rivers Local Emergency Management Committees - Combined

The Local Emergency Operations Controller (LEOCON) for the Richmond Police District, Superintendent David Roptell, has proposed combining the Northern Rivers Local Emergency Management Committee (LEMC) – which includes Lismore, Richmond Valley and Kyogle councils – with the Ballina LEMC.

The key objectives of this initiative are to strengthen regional emergency management capability, improve operational efficiency, and support the proposed State Government funded, purpose-built Emergency Management Facility at Southern Cross University, Lismore, while maintaining locally tailored emergency management arrangements for individual communities.

This initiative represents an opportunity to enhance wide-scale resilience across the Northern Rivers through contemporary emergency management principles, while safeguarding local engagement and response capability.

The combined LEMC structure has already proven operationally effective during major emergencies, including the 2022 flood events and Ex-Tropical

Cyclone Alfred in 2025. While these joint operations have demonstrated strong collaboration, the proposed combined structure is not yet formally recognised by the State Emergency Management Committee (SEMC) or the NSW Minister for Emergency Services.

Accordingly, a project is underway, led by NSW Police Emergency Management, to develop a risk-assessed and governance-focused submission, recommending a twelve-month trial to combine the Northern Rivers and Ballina LEMCs into a single Richmond River LEMC. Subject to the successful completion of the trial, the intent is to formally implement the combined Richmond River LEMC structure.

The proposal is to be submitted to the SEMC for consideration in September 2026, followed by consideration by the NSW Minister for Emergency Services for final approval. Council's Local Emergency Management Officer is participating as a member of the project steering committee.

Fawcett Park / Wharf Restaurant Paving Options – Dance Activity

At the 26 February 2026 Ordinary meeting Council resolved as follows:

1. *That Council investigate cost effective paving options suitable for dancing in the area immediately in front of the leased area of The Wharf Bar and Restaurant and report the findings to Council.*
2. *That Council liaise with the dance operator in relation to required permits.*

The Wharf Bar and Restaurant has offered salsa dance lessons on the walkway at Fawcett Park, as an activity ancillary to their café / restaurant.

This activity has been undertaken, to date, without an approved licence under Council's Commercial Activities on Public Land Policy, or an event permit, under Council's Events on Public Land Policy.

The Wharf Bar and Restaurant is located on Council owned land at 18 Fawcett Street Ballina. The premises sits within Fawcett Park, as the only commercial building on the river side of Fawcett Lane.

The land title contains a 'restriction on use' approximately 5m wide along the western side of the lot. The terms of the restriction state that "no table, chair, planter box, hoarding, advertising board or any other obstacle or barrier shall be placed on the subject land within the area ...".

This area provides public access from the Riverwalk Arcade to the riverfront.

The area subject to investigation for a dance floor is within Fawcett Park, immediately adjoining the southern boundary of this lot, as per Figures 1 and 2.

The area is part of the public walkway, approximately 4m wide x 24m long (96m²), constructed from large format concrete pavers consistent with the Ballina CBD paving palette.

The pavers have an embossed "wave" texture, which is a rough surface on which to dance.

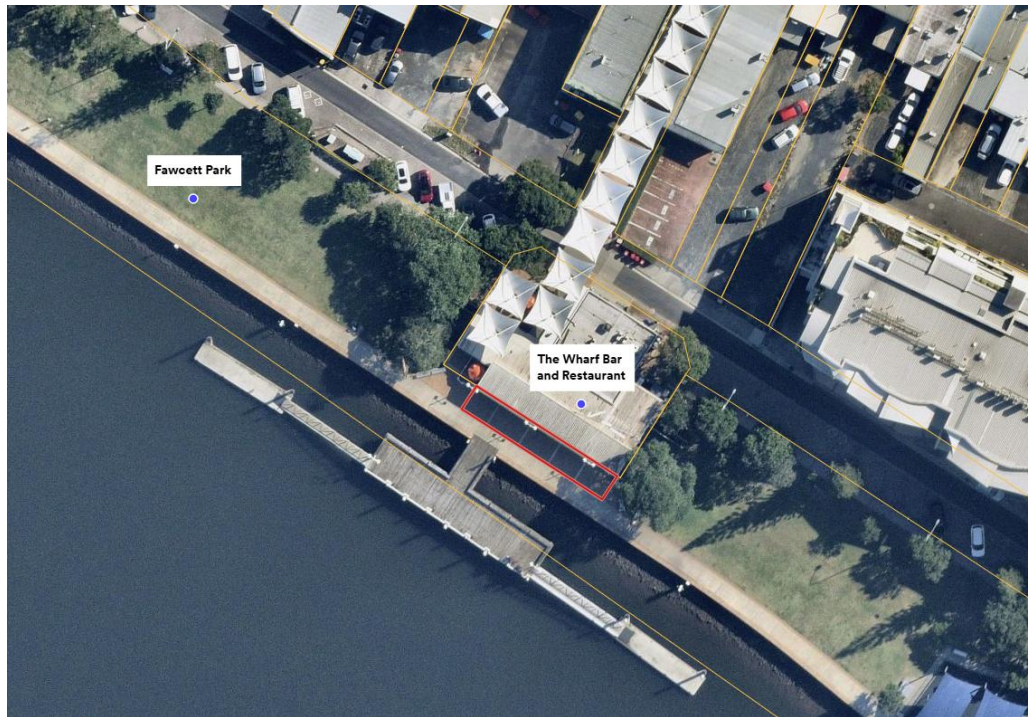


Figure 1: The Wharf Bar and Restaurant and adjacent paved area



Figure 2: Paved area adjacent to southern side of The Wharf Bar and Restaurant

The following elements are considerations with respect to a change to the paving in this area to enable dance activity.

Public Access

Fawcett Park is a popular civic and foreshore space complementing the CBD.

There is a continuous public walkway along the riverfront, which provides

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

access to other parts of the park and to the wharf and jetty. This walkway has no barrier to the water's edge.

The impact on public access to the walkway, and safety, is a key consideration. Closure or obstruction of the public walkway for a one-off, or low frequency event, could be managed. However, frequent events should retain unobstructed access to the walkway, and separation of the dance floor area, from the walkway.

Slip Resistance

The Standards Australia Handbook (HB 198-2014) sets out the minimum slip resistance classifications applicable to certain walkway types and environments.

The slip resistance of flooring surfaces is classified and tested under Australian Standard 4586 *Slip Resistance Classification of New Pedestrian Surface Materials (revision pending)*.

Dance floors typically require a balance between grip and slide, often achieving a Class P3 slip rating (using the wet pendulum test) under AS4586, which provides moderate slip resistance.

External walkways, in a public place, require a higher slip resistance rating of at least P4 for general areas, or P5 on ramps, or in wet areas.

This means an effective dance floor surface could, or should, not form part of the public walkway.

Durability / Longevity in an Outdoor Setting

Dance floors are typically constructed from timber, as this material exhibits suitable shock absorption, slip and glide properties for the activity.

Timber in an external setting and installed at ground level would be susceptible to weather and moisture, which would impact its longevity.

Liaison, with dance floor suppliers, suggests that there is no proper dance flooring product currently on the market that will guarantee performance in permanent outdoor conditions. However, durable outdoor material with a lower slip rating (such slate or porcelain tiles with a P3 rating) could be used as an alternative for improved longevity.

Consistent CBD Materials Palette

The upgrading of the Ballina CBD area has been undertaken with a consistent palette of materials and finishes derived from a historic master planning process. It is important to the character of the CBD public realm that the integrity of this palette, including pavement surfaces, be maintained.

Licensing or Permit Requirements

Currently, the proprietor of The Wharf Bar and Restaurant does not have a licence under Council's Commercial Activities on Public Land Policy or Event

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Permit under Council's Events on Public Land Policy for the dance activity, or any other use of public land in this vicinity.

They also have furniture, fencing and other items located within the land to which the 'restriction on use' applies, which has been permitted through an informal arrangement but does impact accessibility of the public walkway.

The restrictions have not been formally varied or registered with NSW Land Registry Services.

A personal / group fitness activity, such as dancing, undertaken on public land could be approached in several ways:

- a) a license under the Commercial Activities on Public Land Policy
- b) a permit under the Events on Public Land Policy or
- c) as a non-exclusive public dance floor as part of the open space infrastructure.

The key requirements of each approach are as follows:

a) Commercial Activities on Public Land Policy

Personal / Group Fitness activity (such as dancing) on public land requires a licence to undertake a commercial activity.

However, under Council's current policy, a license cannot be issued for activities in Fawcett Park, as this location is specifically excluded from the policy due to it being a popular civic and residential context.

This is relevant to the impact of other group fitness activities, such as early morning personal fitness classes.

To enable a regular commercial dance activity to occur in this location, Council would need to amend the policy to include Fawcett Park, for dance, or group fitness activities.

The applicant could also apply for a license for this activity in another location, permitted under the policy.

In either case, the following key specifications apply:

- Payment of an annual application and licensing fee relative to the number of participants (up to 20 participants) e.g.
 - Annual license for group of 20 people - Application fee \$200 + Commercial Activity Fee \$1212 = \$1,242
 - Annual license for group of 10 people - Application fee \$200 + Commercial Activity Fee \$708 = \$724
- Satisfactory evidence of safety plans, insurance, instructor accreditation
- Maintain public safety, access and not block thoroughfares
- Maintain single file width on public paths to allow public thoroughfare
- Not create noise from activities that unreasonably disturbs other users, adjacent residents or adjacent businesses
- Must finish by 8pm (no amplified noise before 8am or after 8pm and only when more than 50m from residential properties).

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This type of approval is suited to regular commercial activity on public land.

b) Events on Public Land Policy

The applicant could apply for an “event” by completing an application to Council. Event applications are subject to the requirements of the event guidelines and incur fees and charges, which vary depending upon the specifics of the event.

Under the current fees and charges and based on a small event suitable for 20 participants, a fee of \$505 applies for a single commercial user event on public land. After three events, a discount applies to the fee for each event.

Applications may be subject to conditions to address environmental impacts, social impacts, economic impacts, risk and public safety. This type of approval is more suited to one-off, annual, occasional or intermittent activities on public land.

c) Non-exclusive public dance floor as part of the open space infrastructure.

A permanent public dance floor could be considered as a public infrastructure asset, in Fawcett Park, or within another open space area such as Missingingham Park. If in Fawcett Park, a stand-alone dance floor surface detached from the public walkway is preferred so that conflicts with pedestrians using the walkway can be avoided.

Use of this facility by a commercial entity would be subject to the Commercial Activities on Public Land licence or Event Policy permit fees. Community groups, and the public could use such a facility, without licence or permit.

A possible location is shown in Figure 3, which requires relocation of the table.



Figure 3: Possible alternate dance floor location (outlined in red)

Dance activity could also be undertaken within The Wharf Bar and Restaurant’s current lease area and managed as part of the venue operations.

The next part of this report provides options that could enable dance activity in Fawcett Park in the vicinity of The Wharf Bar and Restaurant. As a guide to potential income relative to costs, an annual commercial licence fee under

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Council's current fees and charges (if granted) for an activity involving 20 people would be \$1,242 per annum.

Option 1

Change the paving surface (area shown in Figure 1) to a surface suitable for dancing (slip rating P3) and install a barrier to separate it from the public walkway.

This would involve removing 96m² of existing pavement and replacing it with new pavement, with a finish more suitable for dancing (e.g. light-honed finish pavers with a P3 slip rating). Bollards would be installed to separate the area from the main public walkway to manage collision risks.

The cost estimate for this option is \$58,000 based on:

- Construction site establishment/environmental management measures - \$5,000
- Removal of existing pavers and cleanup of base slab - 96m² @ \$50/m² = \$4,800
- Disposal of existing pavers, retention of base slab - \$1,500 based upon 6048kg waste
- Installation of new pavers in matching colour, over existing slab and resealing - 96m² @ \$300/m² = \$28,800
- For a P3 slip rated surface, installation of 14 bollards or other treatment to permanently separate the area from the public walkway - \$16,800
- Manufacture and installation of signage advising of dance floor slippery surface - \$1,500.

Key considerations with respect to this option include:

- Significant financial cost to the public for a private enterprise
- The activity is inconsistent with the Commercial Activities on Public Land Policy
- Impact on public access to the foreshore, park and walkway area
- Permanent change to create a surface in a public area that is non-compliant with respect to slip resistance for a walkway
- Enables activity that supports vibrancy in the public realm.

Option 2

Change the paving surface (area shown in Figure 1) to a smooth surface but maintain footpath slip rating of P5 for walkway slip risk compliance.

This would involve removing 96m² of existing pavement and replacing it with new pavement with a smooth paver surface, which is still suitable for a public walkway- P5 slip rating).

A temporary barrier (bollards/fence) would be installed around the dance floor area during the activity.

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The cost estimate for this option is \$40,000 based on:

- Construction site establishment/environmental management measures - \$5,000
- Removal of existing pavers and cleanup of base slab - $96\text{m}^2 @ \$50/\text{m}^2 = \$4,800$
- Disposal of existing pavers, retention of base slab - \$1,500 based upon 6048kg waste
- Installation of new pavers in matching colour, over existing slab and resealing - $96\text{m}^2 @ \$300/\text{m}^2 = \$28,800$
- For a P5 slip rated surface, a temporary removable barrier could be used as this is a compliant walkway surface. No cost estimated as this could be supplied by the operator.

Key considerations with respect to this option include:

- Significant financial cost to the public for a private enterprise
- The activity is inconsistent with the Commercial Activities on Public Land Policy
- Impact on public access to the foreshore, park and walkway area
- The surface represents a compromise between dance suitability and public safety compliance
- Enables activity that supports vibrancy in the public realm.

Option 3

Permanent dance floor (with P3 slip rating) on a separate area to the side of the restaurant in Fawcett Park (suggested area shown in Figure 3).

This would involve relocating the existing table setting to the east of the restaurant, demolishing an existing concrete slab and construction of a 5.5m x 5.5m (30.25m^2) new, smaller dance floor from honed mass concrete (to P3 slip rating) to match the Fawcett Park concrete (with large river pebble aggregate).

The cost estimate for this option is \$18,000 based on:

- Construction site establishment/environmental management measures - \$2,000
- Removal of concrete slab - $9\text{m}^2 @ \$50/\text{m}^2 = \450
- Disposal of concrete - \$500 based upon 2250kg waste
- Installation of new concrete slab for table setting in alternative location - $9\text{m}^2 @ \$150/\text{m}^2 = \$1,350$
- Relocation of existing table setting - \$1,000
- Construction of a new concrete slab (30.25m^2), with river pebble aggregate to match Fawcett Park and honing of the slab to P3 – $30.25\text{m}^2 \times \$370/\text{m}^2 = \$11,192.50$
- Manufacture and installation of signage advising of dance floor surface - \$1,500.

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Key considerations with respect to this option include:

- Commercial use of the dance floor is inconsistent with the Commercial Activities on Public Land Policy
- Impact on public access to the foreshore (e.g. relocation of infrastructure, reduced access to park area)
- The dance floor is smaller in surface area compared to options 1 and 2.
- Tree protection measures may need to be implemented (not costed)
- Enables activity that supports vibrancy in the public realm.

Option 4

Removable (modular) dance floor on the paved area in front of the restaurant in Fawcett Park

Under this option The Wharf Bar and Restaurant could purchase a removable dance floor surface and install and use it (as required) on the public footpath under a licence from Council (Figure 1).

This could be on the areas shown in Figures 1 or 3. An example of a removable dance floor is shown in Figure 4.



Figure 4: Typical removable dance floor (made from individual polypropylene panels, with timber-look finish that are light weight and clip together) - Photo from www.snaplockdancefloors.com.

There would be no cost to Council associated with this option, if the dance operator purchases the dance floor.

Estimates from suppliers indicate a dance floor between 30m² and 96m² in area would have a cost in the order of \$9,000 to \$25,000.

Key considerations with respect to this option include:

- Commercial use of the dance floor is inconsistent with the Commercial Activities on Public Land Policy
- Impact on public access to the foreshore where the dance floor is installed
- More cost effective from a public perspective and does not involve permanent change to existing infrastructure

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

- Is a temporary installation so can be utilised in line with demand and removed when not in use or the activity ceases
- Enables activity that supports vibrancy in the public realm.

Option 5

Dance activity area within the private premises

The Wharf Bar and Restaurant could adjust their operating framework or premise layout to provide a dance floor within the premises.

This could be permanent or temporary and dedicated or multi-purpose (dining/dance).

Costs for this option have not been investigated as this is dependent on the restaurant operator.

This option means the activity would not occur in the public realm and does not impact the public domain.

Option 4 provides for a balance between the enabling of activity in the public domain, whilst not expending substantial public funds to enable a private commercial enterprise.

In summary, regular occurrence of the dance activity requires an amendment to the Commercial Activities on Public Land Policy to recognise the commercial use in Fawcett Park, and the operator would need to obtain and pay for a licence.

Alternatively, if the preference is not to utilise public space for the dance activity, Option 5 provides a way for the operator to continue the dance initiative.

The recommendation is that Council takes no further action with respect to a permanent change in the pavement surface or parkland area adjacent to The Wharf Bar and Restaurant in relation to making provision for dance activity, due to the impacts, the public cost and the inconsistency with Council policy.

If the operator wishes to pursue options 4 or 5, they can make an application to Council, and this can be considered relative to impacts and policy adjustments. In the meantime, the operator will need to cease the activity as it is not approved or licensed. The operator has also very recently verbally advised that the increased cost of their own insurance makes the ongoing operation of this activity not commercially viable.

These matters are complex and as a guide, the preparation of this information, including site inspection, research, liaison with suppliers and documentation is estimated at 14 hours of staff time, across four different staff.

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Ward Committees

Council resolved as follows at the 26 March 2026 Ordinary meeting.

That Council:

- 1. Approves the Wollongbar Community Preschool as a member of Council's C Ward Committee.*
- 2. Writes to St Vincent de Paul to invite them to join Council's C Ward Committee.*
- 3. Receives a report on any other organisations that have received notice of rejection to joining Council's Ward Committees.*

In response to point 3, the following table provides Ward Committee applicant information from 2024 to 2026 and the outcomes.

Year	Applicant	Ward	Outcome
2024	U3A Ballina Byron	A	Approved
2024	Rainbow Region Dragon Boat Club	A	Approved
2024	Ballina Coastcare	A	Approved
2024	NSW Police/Richmond Police District	A	Approved
2024	Lennox Head Chess Club	B	Approved
2025	Tuckombil Landcare	B	Approved
2025	Screenworks	A	Approved
2025	Ballina East Lions Club	B	Approved
2025	West Ballina Residents Association	A	Approved
2025	Rous Mill Memorial Hall	C	Approved
2025	Heritage Advisory Ballina	A, B, C	Approved, subject to Council resolution to choose one ward committee only.
2025	Pearces Creek Hall	C	Approved
2025	Alstonville Community Preschool	C	Approved
2025	Business Lennox Head	B	Approved
2025	St Vincent De Paul – Our Lady of Rosary Conference	C	Sent letter advising St Vincent de Paul are represented on A Ward.
2026	Wollongbar Community Preschool	C	Approved

In respect to the application from Heritage Advisory Ballina, who were seeking to join all three Ward Committees, Council resolved as follows at the 27 March 2025 Ordinary meeting:

- 1. That Council approves Heritage Advisory Ballina, as a member of a Council Ward Committee.*
- 2. That Council write to Heritage Advisory Ballina seeking confirmation of which Ward Committee they wish to join and which organisations they represent.*

The Heritage Advisory Committee subsequently joined A Ward.

Based on that resolution, when there has been a subsequent application to join more than one Ward Committee, the one response provided to date has been consistent with the 27 March 2025 Council resolution (i.e. organisations can only be represented on one Ward Committee).

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Council has now resolved to change this approach, by approving the appointment of St Vincent de Paul to attend the C Ward Committee, while also being a member of the A Ward Committee.

Based on these two decisions, direction is needed from Council as to what is the preferred approach, as the two resolutions are inconsistent, without any supporting justification or criteria for the separate decisions.

Currently the only other group that is a member of more than one Ward Committee, is the Ballina Environment Society, which is a member of all three Ward Committees.

The objective of the Ward Committees is to provide opportunities for community groups to provide and receive feedback to and from Council, and there is minimal impact with respect to groups being members of more than one committee.

The requests have been minimal, with St Vincent de Paul and Heritage Advisory Ballina being the only two in recent years.

The recommended approach is to allow groups to be represented on more than one Ward Committee, as this provides clear direction to staff, and with the Ward Committees having no delegated authority, and not being able to make decisions, there is no downside to encouraging as much community engagement as possible.

The recommendations to this report support that approach and provide an opportunity for Heritage Advisory Ballina to join the B or C Ward Committees, if they are still interested.

If Council is not supportive of multiple Ward Committee membership, the recommendation will need to be changed, and clarification would also be needed in respect to the Ballina Environment Society, being a member of all three committees.

Clarification would also be needed as to when a group can join more than one committee, as has occurred with St Vincent de Paul. The criteria might have to be based on separate memberships, meeting structures or office locations, to clarify when applications can be approved.

The preference is to keep it simple and allow groups to join more than one committee, if that is their preference, as it is the volunteer members who are giving up their time to attend the Ward Committee meetings.

NBN Connection – Lennox Park

Council resolved as follows at the 11 December 2025 Ordinary meeting:

That the General Manager:

- 1. Engage with NBN Co to assess the feasibility and cost of installing fibre-to-the-premises at Lennox Park; and*
- 2. Report back to Council with costs and options for implementation.*

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

Since the award of the CCTV project at the 26 March 2026 Ordinary meeting, discussion has taken place with the successful proponent in respect to including an NBN connection to Lennox Park as part of the CCTV rollout.

The proponent can deliver this service, and this can be completed at minimal or no cost, as part of the CCTV rollout, providing a cost-effective option in delivering NBN infrastructure for broader community use.

Cumbalum Circle Project

Part of a recommendation from the 13 April 2026 Finance and Facilities Committee meeting, included later in this agenda, in relation to item 4.9, being the report on “Community Infrastructure – Non-recurrent Capital Projects” is as follows:

Point 2

That Council receive a report on the allocation of the forecast Community Dividends for 2027/28 to 2029/30 in the draft Long Term Financial Plan that incorporates the Cumbalum Community Circle to the point of being shovel ready.

The recommended point 2 in the report, which has now been superseded, was as follows:

That Council approves the following allocation of the forecast Community Dividends for 2027/28 to 2029/30 in the draft Long Term Financial Plan:

Description	2027/28	2028/29	2029/30
<i>Geoff Watt Oval Master Plan Implementation Including Car Parks and possible Skate Park</i>	2,500,000	500,000	
<i>Community Facilities - Renewals</i>	100,000		
<i>Companion Animals Plan – Embellishment of Dog Off Leash Areas</i>	100,000		
<i>Administration Centre – Window Renewal</i>	300,000	300,000	200,000
<i>Alstonville Tennis Car Parking and Lumley Park</i>		200,000	
<i>Hampton Park Master Plan – Implementation</i>		1,000,000	
<i>Newrybar Village Streetscape Master Plan - Implementation</i>		500,000	
<i>Ballina Swimming Pool – Asset Renewal</i>		500,000	
<i>Alstonville Swimming Pool – Asset Renewal</i>			400,000
<i>Bicentennial Park Master Plan</i>			400,000
Totals	3,000,000	3,000,000	1,000,000

The removal of the distribution of funding from the exhibited 2026/27 to 2029/30 Draft Delivery Program and 2026/27 Operational Plan, does leave a significant gap in Council’s forward financial planning, from a community consultation perspective, therefore the following information has been provided, in respect to the revised point 2.

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

If Council is satisfied with this update, the distribution of funding could then still be exhibited, based on the originally recommended distribution of the dividends, or any alternative distribution preferred by Council.

Council's Open Spaces Team has reviewed the Cumbalum Circle Project, which seeks to achieve various embellishment outcomes in the vicinity of the Cumbalum sports fields.

Proposed outcomes focus on a walking circuit and wetland observation areas with other elements also foreshadowed (e.g. artwork and dog park areas).

There has been a considerable amount of information compiled by members of the community, which has given definition to the idea. However, there are several factors that need to be further examined to determine the viability, cost and critical issues associated with the concept.

For example, ownership of certain parcels of land is not with Council and there are concerns in respect to environmental impacts.

There is a significant amount of work needed to carefully review the proposal and based on existing priorities this may take a few months to report back to Council. This means the distribution of the forecast Community Infrastructure Reserve dividends would remain undecided until that information is reported back.

Therefore, to build on the work done by the Cumbalum Residents, and to provide a platform for further consideration of the Cumbalum Circle Project, the recommendation is to allocate \$20,000 for investigative work to be undertaken by Council, during 2026/27.

This would include examination of matters such as potential wetland impacts, land tenure, practicality, alignment with Council policy (e.g. Council's plan of management for community land), approval requirements, updated estimates and overall constraints and opportunities.

The preference would be to undertake that work in 2026/27, which would then assist in determining whether funding could, or should, be allocated from the forecast Community Infrastructure Reserve dividends in 2027/28 to 2029/30 to the Cumbalum Circle Project, or whether the priority would be to seek other funding sources such as grants, or reallocation of Council revenue from other projects.

The \$20,000 in 2026/27 would be sourced from the Community Infrastructure Reserve.

The recommendation to this report is consistent with this approach, being to fund the \$20,000 in 2026/27, and include the proposed dividend distribution from the Community Infrastructure Reserve, as per the original recommendation, in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan.

This would enhance the information exhibited and Council can still amend that dividend distribution from the recommendations in the original report.

Delivery Program Strategy / Operational Plan Activity

This report provides a status report on all the adopted activities in the 2025/26 Operational Plan and 2025/26 to 2028/29 Delivery Program.

Community Engagement Strategy

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

Financial / Risk Considerations

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

Options

This report is for noting the implementation of the Delivery Program and Operational Plan, with the information highlighting the wide and varied activities undertaken by Council.

In respect to the other matters raised in this report:

- Local Emergency Management Committees – The proposed combining of the Ballina and Northern Rivers Local Emergency Management Committees is noted.
- The Wharf Bar and Restaurant – The recommendation is to take no further action, as this is a private commercial proposal.
- Ward Committees – The recommendation is to allow community organisations to be represented on multiple committees.
- NBN Connection Lennox Park – The recommendation is to note that the NBN connection will be provided as part of the CCTV project.
- Cumbalum Circle Project – The recommendation is to approve \$20,000 in funding for 2026/27, to further review the project, and to include the proposed distribution of Community Infrastructure Reserve dividends in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan for public exhibition. Council can still amend that proposed distribution as part of this recommendation.

RECOMMENDATION

1. That Council notes the contents of this quarterly review of the 2025/26 to 2028/29 Delivery Program and 2025/26 Operational Plan.
2. That Council notes the contents of this report regarding the proposed combining of the Ballina and Northern Rivers Local Emergency Management Committees.
3. That based on the contents of this report Council takes no further action with respect to a permanent change in the pavement surface, or parkland area, at Fawcett Park, adjacent to The Wharf Bar and Restaurant, in relation

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

to making provision for dance activity, as this relates to a private commercial activity, and the lessee has options to apply to Council for approval of the activity.

4. That Council confirms that the terms of reference for the Ward Committees is to be updated to allow multiple memberships as follows:

Ward Committee membership is reported to Council for approval. Members must be community (not for profit) organisations based in either A, B or C Ward of the Ballina Shire. Members can be represented on multiple Ward Committees.

That Council also writes to Ballina Heritage Advisory to determine whether they still wish to join more than one Ward Committee.

5. That Council notes that the NBN connection at Lennox Park will be included in the scope of works for the CCTV project.
6. That Council approves the allocation of \$20,000 in funding, in 2026/27, from the Community infrastructure Reserve, for the Cumbalum Circle Project, to allow detailed investigation and analysis of the Project, to provide greater clarity to Council on what can be delivered, potential funding sources and timeframes for delivery.
7. That Council approves the following distribution of the forecast community infrastructure dividends from the Community Infrastructure Reserve, for inclusion in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan

Description	2027/28	2028/29	2029/30
<i>Geoff Watt Oval Master Plan Implementation Including Car Parks and possible Skate Park</i>	2,500,000	500,000	
<i>Community Facilities - Renewals</i>	100,000		
<i>Companion Animals Plan – Embellishment of Dog Off Leash Areas</i>	100,000		
<i>Administration Centre – Window Renewal</i>	300,000	300,000	200,000
<i>Alstonville Tennis Car Parking and Lumley Park</i>		200,000	
<i>Hampton Park Master Plan – Implementation</i>		1,000,000	
<i>Newrybar Village Streetscape Master Plan - Implementation</i>		500,000	
<i>Ballina Swimming Pool – Asset Renewal</i>		500,000	
<i>Alstonville Swimming Pool – Asset Renewal</i>			400,000
<i>Bicentennial Park Master Plan</i>			400,000
Totals	3,000,000	3,000,000	1,000,000

Attachment(s)

1. 2025/26 - Delivery Program and Operational Plan - 31 March 2026 Review [↔](#)

9.1 Road Closure and Sale of Closed Road - 6 Waverley Place, Ballina

9. Civil Services Division Reports

9.1 Road Closure and Sale of Closed Road - 6 Waverley Place, Ballina

Section Infrastructure Planning

Objective To provide an overview of the confidential report later in this agenda, in respect to the sale of a section of public road, once closed,

Background

At the 11 December 2025 Ordinary meeting, Council received open and confidential reports in respect to the sale of a public road, to the adjoining landowner, at 6 Waverley Place, Ballina.

Council authorised the road closing to proceed, and as a result of the confidential report, also authorised the General Manager to finalise the sale of the closed road.

Agreement has not been reached on the sale price and the confidential report later in this agenda provides details of the confidential negotiations.

Key Issues

- Agreement on sale price
- Associated matters related to development approvals and Council compliance actions.

Discussion

The open Council report to the 11 December 2025 Ordinary meeting provided details relating to this matter, with Attachment 1 to this report providing a diagram of the proposed road closing.

The two resolutions arising from the 11 December 2025 Ordinary meeting were as follows:

Open Council

- 1. That Council supports the request for a road closing application to proceed for a section of public road adjacent to 6 Waverley Place, Ballina, as per Attachments 1 and 2 to this report.*
- 2. That Council authorises the Council seal and signatures to be attached to the documents necessary for the road closing and disposal of the land.*
- 3. That the road, once closed, be consolidated with the adjoining land being Lot 1 DP 533026.*
- 4. That Council notes the contents of this report regarding the sale of the land created by the closure of part of Waverley Place, Ballina, with the*

9.1 Road Closure and Sale of Closed Road - 6 Waverley Place, Ballina

confidential report later in this agenda outlining the commercial negotiations underway regarding the sale price of the land once closed.

Confidential Session

1. *That subject to the road being closed, Council approves the sale of the land, with an area of about 1,156 square metres, as per Attachments 1 and 2 to this report, as created by the closure of part of Waverley Place, Ballina, for an agreed value of \$50,000 ex GST.*
2. *That the road, once closed, be consolidated with the adjoining land being Lot 1 DP 533026.*
3. *This sale is subject to the purchaser being responsible for all legal and administrative costs associated with the sale, including steps to consolidate the land parcel with Lot 1 DP 533026.*
4. *That Council approves the attaching of the Council seal to the sale contract and associated documents.*

As per the background information to this report, agreement has not yet been reached on the agreed value and the confidential report later in this agenda seeks direction from Council.

Delivery Program Strategy / Operational Plan Activity

This report is linked to Delivery Program Strategy LP1.2:

Facilitate connectivity and provide affordable infrastructure to meet growing demands

Community Engagement Strategy

Road closures are advertised to seek public feedback.

Financial / Risk Considerations

All costs associated with the road closing, including application, valuation, survey, legal and other fees are met by the applicant. The application processing is undertaken by Council. Upon closing the road, the land would vest in Council, along with any proceeds from the sale of the land. The road is not identified by Council for current or future road projects. The financial consideration relates to the land sale value and is discussed in the confidential report.

Options

This report is for noting.

RECOMMENDATION

That Council notes the contents of this report in respect to the sale of a closed road to the adjoining landowner at 6 Waverley Place, Ballina.

9.1 Road Closure and Sale of Closed Road - 6 Waverley Place, Ballina

Attachment(s)

1. 6 Waverley Place, West Ballina - Proposed Road Closing Diagram [⇒](#)

10. Notices of Motion

10. Notices of Motion

Nil Items

11. Advisory Committee Minutes

11.1 Environmental and Sustainability Committee Minutes - 9 April 2026

Attendance

Phil Meehan (Chair), Michelle Bailey, Simon Kinny, Therese Crollick, Simon Chate and Eva Ramsey

Paul Hickey (General Manager), Troy Anderson (Director - Civil Services Division), Matthew Wood (Director - Planning and Environmental Health Division), Caroline Klose (Director - Corporate and Community Division), Penny Van Den Hoek and Janelle Snellgrove (Acting Executive Assistant - General Manager and Mayor) were in attendance.

There were three people in the gallery at this time.

Election of Chair

Cr Phil Meehan was elected as Meeting Chair.

1. Acknowledgement of Country

In opening the meeting the meeting, the Chair provided an Acknowledgement of Country.

2. Apologies

An apology was received from Cr Sharon Cadwallader, Cr Damien Loone, Cr Erin Karsten and Cr Kiri Dicker.

RECOMMENDATION

(Cr Simon Chate/Cr Simon Kinny)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Damian Loone, Cr Erin Karsten and Cr Kiri Dicker

Cr Erin Karsten has been granted leave of absence.

3. Declarations of Interest

Cr Sharon Cadwallader and Cr Damian Loone declared an interest prior to the meeting, as they are the Council representatives on the Northern Regional

Planning Panel, which will be considering the CURA C planning proposal, and based on that interest they are unable to attend this meeting.

There were no other declarations.

4. Committee Reports

4.1 Cumalum Urban Release Area C - Rezoning Review

A **Motion** was moved by Cr Michelle Bailey and seconded by Cr Therese Crollick

1. That Council makes a submission to the Department of Planning, Housing and Industry and Northern Regional Planning Panel with respect to the CURA C planning proposal setting out the technical and merit issues identified in this report.
2. That having regard for the submitted information and the identified deficiencies that Council advises the DPHI and the Regional Planning Panel that it does not support the proposed rezoning progressing to Gateway Determination.
3. That Council advises DPHI that it wishes to nominate as the Planning Proposal Authority (PPA), should the Regional Planning Panel decide to progress the planning proposal to Gateway Determination.

An **Amendment** was moved by Cr Michelle Bailey and seconded by Cr Simon Kinny

1. That Council makes a submission to the Department of Planning, Housing and Industry and Northern Regional Planning Panel with respect to the CURA C planning proposal setting out the technical and merit issues identified in this report.
2. That having regard for the submitted information and the identified deficiencies that Council advises the DPHI and the Regional Planning Panel that it would support the proposed rezoning progressing to Gateway Determination only if the identified deficiencies are addressed to the satisfaction of Council and in accordance with Council policy and relevant NSW planning legislation.
3. That Council advises DPHI that it wishes to nominate as the Planning Proposal Authority (PPA), should the Regional Planning Panel decide to progress the planning proposal to Gateway Determination.

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

FOR VOTE - Cr Michelle Bailey and Cr Simon Kinny

AGAINST VOTE - Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey and Cr Phil Meehan

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Damian Loone, Cr Erin Karsten and Cr Kiri Dicker

RECOMMENDATION

(Cr Michelle Bailey/Cr Therese Crollick)

1. That Council makes a submission to the Department of Planning, Housing and Industry and Northern Regional Planning Panel with respect to the CURA C planning proposal setting out the technical and merit issues identified in this report.
2. That having regard for the submitted information and the identified deficiencies that Council advises the DPHI and the Regional Planning Panel that it does not support the proposed rezoning progressing to Gateway Determination.
3. That Council advises DPHI that it wishes to nominate as the Planning Proposal Authority (PPA), should the Regional Planning Panel decide to progress the planning proposal to Gateway Determination.

FOR VOTE - Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey and Cr Phil Meehan

AGAINST VOTE - Cr Michelle Bailey and Cr Simon Kinny

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Damian Loone, Cr Erin Karsten and Cr Kiri Dicker

MEETING CLOSURE

5:18pm

RECOMMENDATION

That Council confirms the minutes of the Environmental and Sustainability Committee meeting held 09 April 2026 and that the recommendations contained within the minutes be adopted.

Attachment(s)

Nil

Attendance

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

Paul Hickey (General Manager), Troy Anderson (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 no one in the gallery at this time.

1. Acknowledgement of Country

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

2. Apologies

An apology was received from Cr Simon Chate and Cr Phil Meehan

RECOMMENDATION

(Cr Eva Ramsey/Cr Simon Kinny)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

3. Declarations of Interest

Nil

4. Committee Reports

4.1 Medium Density Housing Review - Council Land - Lennox Head

A **Motion** was moved by Cr Michelle Bailey and seconded by Cr Damian Loone

That Council endorses the preparation of a Planning Proposal to amend Ballina Local Environmental Plan 2012 to enable the dwelling densities, numbers and types provided in Concepts 2 and 3, within this report.

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

That Councillors receive a report on a legally binding mechanism that ensures a proportion of dwellings developed on this land are genuinely affordable for local key workers.

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

FOR VOTE - Cr Erin Karsten and Cr Kiri Dicker

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

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

RECOMMENDATION

(Cr Michelle Bailey/Cr Damian Loone)

That Council endorses the preparation of a Planning Proposal to amend Ballina Local Environmental Plan 2012 to enable the dwelling densities, numbers and types provided in Concepts 2 and 3, within this report.

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

AGAINST VOTE - Cr Erin Karsten and Cr Kiri Dicker

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.2 Special Purpose Financial Statements - Business Activities Review

RECOMMENDATION

(Cr Simon Kinny/Cr Therese Crollick)

That Council resolves that the Airport, Land Development and Landfill and Resource Recovery activities are no longer “declared business activities” in respect to the preparation of Council’s Special Purpose Financial Statements.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.3 Fees and Charges - 2026/27

RECOMMENDATION

(Cr Therese Crollick/Cr Eva Ramsey)

1. That Council approves the exhibition of the draft Fees and Charges for 2026/27, as per Attachment 1 to this report, as part of the draft 2026/27 Operational Plan.

2. That Council notes the revised long term financial plan for the Water Operations, as per Table 2 of this report, for exhibition in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.4 Strategic Asset Management Plan - Update - 2026/27

RECOMMENDATION

(Cr Damian Loone/Cr Eva Ramsey)

That Council approves the exhibition of the draft Strategic Asset Management Plan, as per Attachment 1 to this report, as part of the exhibition of the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.5 Ballina - Byron Gateway Airport - Long Term Financial Plan

RECOMMENDATION

(Cr Therese Crollick/Cr Damian Loone)

That Council approves the inclusion of the draft Long-Term Financial Plan for the Ballina Byron Gateway Airport, as per Attachments 1 and 2 to this report, for inclusion in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.6 Community Infrastructure - Recurrent Capital Projects

A **Motion** was moved by Cr Michelle Bailey and seconded by Cr Simon Kinny

1. That Council approves the inclusion of the recurrent capital expenditure priorities, as outlined in this report, in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, for public exhibition, with this program based on the Independent Pricing and Regulatory Tribunal approving Council's application for a special rate variation (SRV) for 2026/27 to 2029/30.
2. That Council notes that if the SRV is not approved, the works program will be reduced, with that reduced program to be included as an appendix in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, and subject to further review at the June 2026 Ordinary meeting.

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

1. That Council approves the inclusion of the recurrent capital expenditure priorities, as outlined in this report, in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, for public exhibition, with this program based on the Independent Pricing and Regulatory Tribunal approving Council's application for a special rate variation (SRV) for 2026/27 to 2029/30.

2. That Council notes that if the SRV is not approved, the works program will be reduced, with that reduced program to be included as an appendix in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, and subject to further review at the June 2026 Ordinary meeting.
3. That Council approves the transfer of \$112,000 in funds allocated in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan to South Street, Alstonville in 2027/28 to footpath works on Tanamera Drive, Alstonville (\$56,000) and Whipps Ave, Alstonville (\$56,000).

The **Amendment** was **CARRIED**

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

The **Amendment** then became the **Motion** and was **CARRIED**

RECOMMENDATION

(Cr Therese Crollick/Cr Kiri Dicker)

1. That Council approves the inclusion of the recurrent capital expenditure priorities, as outlined in this report, in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, for public exhibition, with this program based on the Independent Pricing and Regulatory Tribunal approving Council's application for a special rate variation (SRV) for 2026/27 to 2029/30.
2. That Council notes that if the SRV is not approved, the works program will be reduced, with that reduced program to be included as an appendix in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, and subject to further review at the June 2026 Ordinary meeting.
3. That Council approves the transfer of \$112,000 in funds allocated in the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan to South Street, Alstonville in 2027/28 to footpath works on Tanamera Drive, Alstonville (\$56,000) and Whipps Ave, Alstonville (\$56,000).

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.7 Car Park - Upgrade Program

RECOMMENDATION

(Cr Therese Crollick/Cr Damian Loone)

1. That in respect to sealed car parks, Council confirms the priority and potential funding sources for improvements to the car parks is as follows:
 - Three Car Parking Areas in Pop Denison Car Park, Ballina – To be examined as part of scope of works for the \$530,000 allocated to the Pop Denison Car Park in the 2025/26 budget, with the scope of that work able to be expanded dependent on the level of Open Spaces and Community Facilities Developer Contributions held by Council.
 - Two Car Parking Areas within Missingham Park – To be examined as part of the scope of works, for the allocation of recurrent funding in the

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- Open Spaces Recurrent Capital Works program, which currently includes approximately \$2m in total for 2027/28 and 2028/29.
- Pat Morton Lookout - \$900,000 allocated in the 2025/26 budget.
 - Three Car Parks along Shelly Beach Road, Ballina and King Street, Lennox Head – To be included as part of the inventory of capital works included in the annual report on Community Infrastructure – Non-recurrent Capital Projects, with no funding source currently identified.
2. That in respect to unsealed car parks, Council confirms the priority and potential funding sources for formalising the car parks is as follows:
- Geoff Watt Oval - Deegan Drive and Ballina Street, Alstonville – To be included as part of the priority works program for the \$3m dividend forecast from the Community Infrastructure Reserve in 2027/28.
 - Alstonville Tennis Centre - Lumley Park and Park Avenue – To be included as part of the priority works program for the \$3m dividend forecast from the Community Infrastructure Reserve in 2028/29.
 - Regatta Avenue, Ballina, Keith Hall Boat Ramp, Chickiba Drive Sports Fields, Ballina and Bicentennial Park, Ballina - To be included as part of the inventory of capital works included in the annual report on Community Infrastructure – Non-recurrent Capital Projects, with no funding source currently identified.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.8 Commercial Property Projects and Cash Reserves - Update

RECOMMENDATION

(Cr Kiri Dicker/Cr Eva Ramsey)

1. That Council notes the contents of this report on the Commercial Property Development Projects and Cash Reserves.
2. That Council approves the inclusion of the financial information, as outlined in Tables 5 and 6 of this report, in Council's draft 2026/27 to 2029/30 Delivery Program, 2026/27 Operational Plan and the draft Long Term Financial Plan for 2026/27 to 2035/36.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

4.9 Community Infrastructure - Non-Recurrent Capital Projects

RECOMMENDATION

(Cr Kiri Dicker/Cr Eva Ramsey)

1. That Council notes the contents of this update on the Community Infrastructure Non-recurrent Capital Projects.

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2. That Council receive a report on the allocation of the forecast Community Dividends for 2027/28 to 2029/30 in the draft Long Term Financial Plan that incorporates the Cumbalum Community Circle to the point of being shovel ready.
3. That Council approves a transfer of \$10,000 from the Property Development Reserve to investigate the feasibility of the provision of a Recovery Centre / Hydrotherapy Pool at the Alstonville and Ballina Aquatic Centres, with the objective being to provide the facility at no net cost to Council, and recognising that there are opportunities for Council and the Alstonville and Ballina Aquatic Centre Contractors to approach this development as a joint venture business opportunity.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate and Cr Phil Meehan

Cr Kiri Dicker left the meeting at 5:41 pm.

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Damian Loone)

That Council fund the replacement of the roof on the Ballina Players Shed through a transfer from the Community Infrastructure Reserve.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate, Cr Kiri Dicker and Cr Phil Meehan

4.10 Workforce Management Strategy - 2026/27 to 2029/30

RECOMMENDATION

(Cr Damian Loone/Cr Therese Crollick)

That Council approves the exhibition of the draft Workforce Management Strategy 2026/27 to 2029/30, as per Attachment 1 to this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate, Cr Kiri Dicker and Cr Phil Meehan

4.11 General Fund - Long Term Financial Plan

RECOMMENDATION

(Cr Simon Kinny/Cr Michelle Bailey)

That Council approves the exhibition of the draft Long Term Financial Plan, as per Attachments 1 and 2 to this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate, Cr Kiri Dicker and Cr Phil Meehan

4.12 Delivery Program and Operational Plan - 2026/27 to 2029/30

RECOMMENDATION

(Cr Michelle Bailey/Cr Damian Loone)

That Council approves the exhibition of the draft Delivery Program and Operational Plan for 2026/27 to 2029/30, as per Attachment 1 to this report, inclusive of any changes arising from this meeting.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Chate, Cr Kiri Dicker and Cr Phil Meehan

MEETING CLOSURE

5.58pm

RECOMMENDATION

That Council confirms the minutes of the Finance and Facilities Committee meeting held 13 April 2026 and that the recommendations contained within the minutes be adopted.

Attachment(s)

Nil

12.1 Mayoral Meetings

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

12.1 Mayoral Meetings

Councillor Sharon Cadwallader

Activities I have attended, or propose to attend, at the time of writing this report, since the March 2026 Ordinary meeting are as follows:

<u>Date</u>	<u>Meeting</u>
27 March	Country Mayors Association of NSW (CMA) Board meeting - Financial Sustainability (including Economic Development and Infrastructure)
30 March	'Long Lunch' 88.9 Nora Vidler-Banksby radio interview
30 March	Interview for 2022 Lismore floods theatre production - Clancy & Trixie Miller
30 March	Country Mayors Association of NSW (CMA) Update - NSW Rural Fire Service
9 April	Ballina Lighthouse RSL Day Club presentation
9 April	Country Mayors Association of NSW (CMA) meeting with Transport for NSW - Roads Act Review
13 April	Mayor and General Manager weekly meeting
13 April	Australian Coastal Councils Association (ACCA) meeting (Zoom)
13 April	'Long Lunch' 88.9 Nora Vidler-Banksby radio interview
13 April	Public Forum
13 April	Extraordinary Council meeting
13 April	Finance and Facilities Committee meeting
14 April	Meeting with Pat Grier - Northern Rivers Rail Trail
15 April	Country Mayors Association of NSW (CMA) Fuel Crisis briefing with The Hon Penny Sharpe MLC - Minister for Climate Change, Energy Environment and Heritage
15 April	Rous Meeting - Ballina
15 April	Cr Training - Native Title
16 April	Country Mayors Association (CMA) Board Meeting
20 April	Mayor and General Manager weekly meeting
20 April	Northern Rivers Wildlife Hospital meeting
21 April	Councillor site inspection - New SES Building
22 April	Public Art Advisory Panel meeting
23 April	Public Forum
23 April	Ordinary meeting

Deputy Mayor Cr Damian Loone attended the following activities on my behalf:

31 March	Extraordinary Meeting - Ballina Shire Economic Activation Group - Scene setting workshop - Economic Development and Visitor Economy Strategy
7 April	Bi-monthly NSW Reconstruction & Ballina Shire Council meeting

Cr Phil Meehan chaired the following meeting on my behalf:

9 April	Environmental and Sustainability Committee Meeting
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RECOMMENDATION

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

Attachment(s)

Nil

13. Confidential Session

In accordance with Section 9 (2A) of the Local Government Act 1993, the General Manager is of the opinion that the matters included in the Confidential Business Paper, and detailed below are likely to be considered when the meeting is closed to the public.

Section 10A(4) of the Local Government Act, 1993 provides that members of the public are allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

A brief summary of each of the reports recommended for consideration in confidential session follows:

13.1 Road Closure and Sale of Closed Road - 6 Waverley Place, Ballina - Price

As outlined in Item 9.1.

RECOMMENDATION

That Council moves into committee of the whole with the meeting closed to the public, to consider the following items in accordance with Section 10A (2) of the Local Government Act 1993.

13.1 Road Closure and Sale of Closed Road - 6 Waverley Place, Ballina - Price

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 Council is in the process of undertaking commercial negotiations in respect to the future purchase of the closed road.