

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 23/04/26 AT 9:30 AM**

Attendance

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

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

There were five people in the gallery at this time.

A minutes silence was held to honour Anzac Day and to reflect on the service and sacrifice of those that have served and given their lives to Australia.

3. Australian National Anthem

The National Anthem was played.

2. Acknowledgement of Country

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

3. Apologies

Nil

Leave of Absence request

Cr Simon Kinny has requested leave of absence from Monday 11 May to Wednesday 27 May 2026 inclusive.

230426/1 RESOLVED

(Cr Damian Loone/Cr Michelle Bailey)

That the request from Cr Simon Kinny for leave from Monday 11 to Wednesday 27 May 2026 be granted.

FOR VOTE - All Councillors voted unanimously.

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4. Confirmation of Minutes

230426/2 RESOLVED

(Cr Michelle Bailey/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.

230426/3 RESOLVED

(Cr Michelle Bailey/Cr Eva Ramsey)

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

FOR VOTE - All Councillors voted unanimously.

5. Declarations of Interest and Reportable Political Donations

Cr Sharon Cadwallader – declared an interest in Item 11.1 Environmental and Sustainability Committee Meeting minutes – 9 April 2026 (Nature of Interest: non-significant, non-pecuniary). Cr Cadwallader is a Council delegate on the Northern Regional Planning Panel, which will be considering the CURA C planning proposal. Cr Cadwallader will leave the room while this Item is discussed.

Cr Damian Loone – declared an interest in Item 11.1 Environmental and Sustainability Committee Meeting minutes – 9 April 2026 (Nature of Interest: non-significant, non-pecuniary). Cr Loone a Council delegate on the Northern Regional Planning Panel, which will be considering the CURA C planning proposal. Cr Loone will leave the room while this Item is discussed.

6. Mayoral Minutes

6.1 Mayoral Minute - Finish the Northern Rivers Rail Trail

230426/4 RESOLVED

(Cr Sharon Cadwallader)

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.

FOR VOTE - All Councillors voted unanimously.

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

230426/5 RESOLVED

(Cr Sharon Cadwallader)

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.

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- Include clear limits on Ministerial powers affecting council operations.

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.

FOR VOTE - All Councillors voted unanimously.

Change in Order of Business

230426/6 RESOLVED

(Cr Therese Crollick/Cr Damian Loone)

That Council change the Order of Business to deal with the items as per the Speakers that presented in the Public Forum prior to the meeting.

FOR VOTE - All Councillors voted unanimously.

7. Planning and Environmental Health Division Reports

8.8 Delivery Program and Operational Plan - 31 March 2026 Review

230426/7 RESOLVED

(Cr Therese Crollick/Cr Eva Ramsey)

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 Council include an action in the draft 2026/27 Operational Plan to investigate the provision of a dance / activity area in Ballina, including the consideration of Fawcett Park.
4. That Council confirms that the terms of reference for the Ward Committees is to be updated to allow multiple memberships as follows:

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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

FOR VOTE - All Councillors voted unanimously.

Cr Sharon Cadwallader and Cr Damian Loone left the meeting at 10:14 am.

Election of Chair

Cr Phil Meehan was elected as interim meeting Chair while the Mayor and Deputy Mayor had left the meeting.

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11.1 Environmental and Sustainability Committee Minutes - 9 April 2026

230426/8 RESOLVED

(Cr Therese Crollick/Cr Simon Chate)

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.

FOR VOTE - Cr Michelle Bailey, Cr Simon Kinny, Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey, Cr Kiri Dicker and Cr Phil Meehan

AGAINST VOTE - Cr Erin Karsten

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Damian Loone

Cr Sharon Cadwallader and Cr Damian Loone returned to the meeting at 10:18 am.

7.2 Local Strategic Planning Statement - SUGA Site Review

230426/9 RESOLVED

(Cr Phil Meehan/Cr Michelle Bailey)

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.

The **Motion** was **CARRIED** on the casting vote of the Mayor

FOR VOTE - Cr Sharon Cadwallader, Cr Michelle Bailey, Cr Simon Kinny, Cr Damian Loone and Cr Phil Meehan

AGAINST VOTE - Cr Therese Crollick, Cr Simon Chate, Cr Eva Ramsey, Cr Erin Karsten and Cr Kiri Dicker

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Adjournment for Morning Tea

The Mayor declared the meeting adjourned at 10.46am.

The meeting resumed at 11.06am

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

230426/10 RESOLVED

(Cr Michelle Bailey/Cr Simon Chate)

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.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phil Meehan

Cr Phil Meehan returned to the meeting at 11.08am

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

230426/11 RESOLVED

(Cr Erin Karsten/Cr Eva Ramsey)

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.

FOR VOTE - All Councillors voted unanimously.

7.4 Disability Inclusion Action Plan - Review

230426/12 RESOLVED

(Cr Therese Crollick/Cr Simon Chate)

1. 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.
2. That Council hold an annual event to celebrate the International Day of People with Disability.

FOR VOTE - All Councillors voted unanimously.

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8. Corporate and Community Division Reports

8.1 Use of Council Seal

230426/13 RESOLVED

(Cr Michelle Bailey/Cr Simon Chate)

That Council affix the Common Seal to the following documents.

US2026/9	<p>1. That Council, in accordance with the relevant provisions of the Local Government Act 1993 enters the following leases of <i>community land</i>:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Property</th> <th style="width: 20%;">Tenant</th> <th style="width: 30%;">Tenure / Comment</th> </tr> </thead> <tbody> <tr> <td>Part of Kentwell Community Centre known as Office 3 located at 20 Bangalow road, Ballina (on part Lot 246 DP 755684)</td> <td>CPL – Choice, Passion, Life</td> <td>Two years with two x two-year options. CPL is a sitting tenant who has requested a new lease.</td> </tr> <tr> <td>Part of Kentwell Community Centre known as the Bernice Kentwell Room located at 20 Bangalow road, Ballina (on part Lot 246 DP 755684)</td> <td>CPL – Choice, Passion, Life</td> <td>Two years with two x two-year options. CPL is a sitting tenant who has requested a new lease.</td> </tr> </tbody> </table> <p>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.</p> <p>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.</p>	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.
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.								
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>									

FOR VOTE - All Councillors voted unanimously.

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8.2 Investment Summary - March 2026

230426/14 RESOLVED

(Cr Simon Chate/Cr Michelle Bailey)

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

FOR VOTE - All Councillors voted unanimously.

8.3 Public Forum Rules - Review

230426/15 RESOLVED

(Cr Michelle Bailey/Cr Damian Loone)

That Council adopts the updated Public Forum Rules, as per Table 1 of this report subject to the following changes:

1. Point 12: The Chair may allow Councillors to ask questions of the speaker(s), when there is time remaining in the public forum
2. 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.

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

AGAINST VOTE - Cr Erin Karsten and Cr Kiri Dicker

8.4 Tender - Public Art Fabrication - Ballina Bridges Duplication

230426/16 RESOLVED

(Cr Michelle Bailey/Cr Damian Loone)

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tender and awards the contract to Main Arm Makers for the Tender - Public Art Fabrication - Ballina Bridges Duplication for the total amount of \$397,550 (excluding GST).
2. That Council authorises the General Manager to sign the contract documents.

FOR VOTE - All Councillors voted unanimously.

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8.5 Policy (Review) - Related Party Disclosures

230426/17 RESOLVED

(Cr Simon Chate/Cr Therese Crollick)

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.

FOR VOTE - All Councillors voted unanimously.

8.6 Wollongbar Urban Expansion Area - Residential Land Sales

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

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

1. approves the sale of all, except one, 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
2. retain one lot to gift to a not-for-profit community housing provider, subject to a report to Council.

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

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

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

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

1. approves the sale of all, except one, 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.

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2. pauses on the sale of the one lot and lobby the State government to purchase this lot for a not-for-profit community housing provider, subject to a report to Council.

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

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

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

230426/18 RESOLVED

(Cr Therese Crollick/Cr Simon Chate)

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

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

AGAINST VOTE - Cr Erin Karsten

Cr Simon Chate – declared two interests in item 8.7 Capital Expenditure - 31 March 2026 Review (Nature of Interests: non-significant, non-pecuniary).

Firstly, Cr Chate is a member of staff at Alstonville High School and secondly Cr Chate resides at Mellis Circuit, Alstonville. Cr Chate will remain in the meeting and vote on this item.

8.7 Capital Expenditure - 31 March 2026 Review

230426/19 RESOLVED

(Cr Simon Kinny/Cr Michelle Bailey)

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.

FOR VOTE - All Councillors voted unanimously.

Public Question Time

There were no members of the gallery present for Public Question Time.

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9. Civil Services Division Reports

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

230426/20 RESOLVED

(Cr Phil Meehan/Cr Damian Loone)

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.

FOR VOTE - All Councillors voted unanimously.

10. Notices of Motion

Nil Items

11. Advisory Committee Minutes

11.2 Finance and Facilities Committee Minutes - 13 April 2026

230426/21 RESOLVED

(Cr Simon Kinny/Cr Damian Loone)

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.

FOR VOTE - All Councillors voted unanimously.

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

12.1 Mayoral Meetings

230426/22 RESOLVED

(Cr Michelle Bailey/Cr Damian Loone)

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

FOR VOTE - All Councillors voted unanimously.

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13. Confidential Session

230426/23 RESOLVED

(Cr Eva Ramsey/Cr Erin Karsten)

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.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 1.06pm).

Open Council

230426/24 RESOLVED

(Cr Erin Karsten/Cr Eva Ramsey)

That Council move into Open Council and out of Committee of the Whole.
FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 1.09pm).

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

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

CF230426/25 RECOMMENDED

(Cr Erin Karsten/Cr Damian Loone)

That Council notes the contents of this report, and the counteroffer submitted by the landowner, however as the already resolved sale price of \$50,000 EX GST, represents a reduction as compared to the independent valuation, Council cannot accept a lower price for the closed road.

FOR VOTE - All Councillors voted unanimously.

Adoption of Recommendations from Confidential Session

230426/26 RESOLVED

(Cr Damian Loone/Cr Erin Karsten)

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

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSURE

1.09pm

The Minutes of the Ordinary Meeting held on 23/04/26 were submitted for confirmation by council on 28 May 2026 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 28 May 2026.