

Agenda

Ordinary Meeting

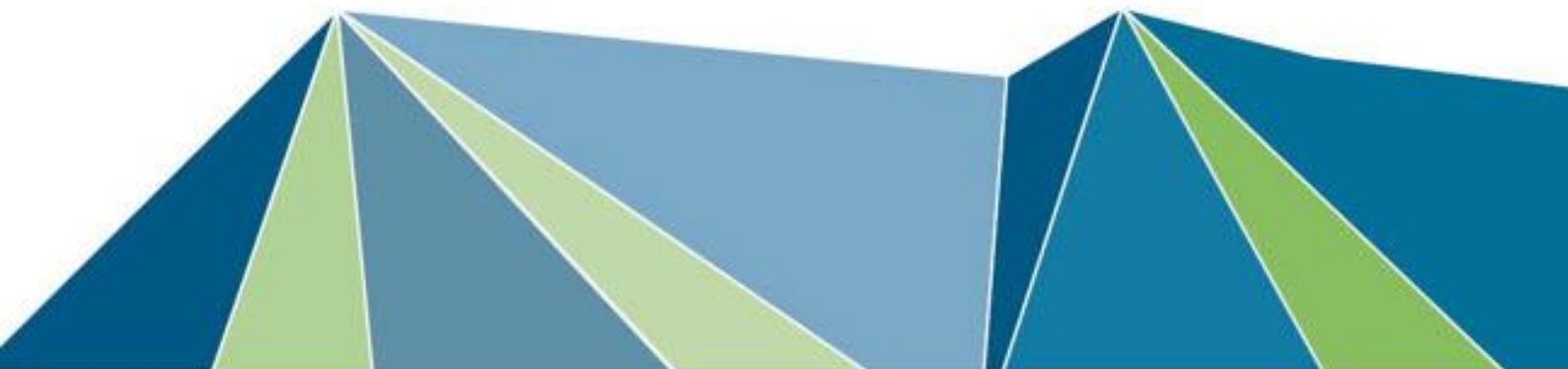
25 June 2026

An Ordinary Meeting of Ballina Shire Council will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **25 June 2026 commencing at 9:00 AM.**

1. Australian National Anthem
2. Acknowledgement of Country
3. Apologies
4. Confirmation of Minutes
5. Declarations of Interest and Reportable Political Donations
6. Deputations
7. Mayoral Minutes
8. Planning and Environmental Health Division Reports
9. Corporate and Community Division Reports
10. Civil Services Division Reports
11. Notices of Motion
12. Advisory Committee Minutes
13. Reports from Councillors on Attendance on Council's behalf
14. 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)

Deputations to Council – Guidelines

- Deputations by members of the public may be made at Council meetings on matters included in the business paper.
- Deputations are limited to two speakers in the affirmative and two speakers in opposition.
- Deputations, per person, will be limited to a maximum of two items on the agenda.
- Requests to speak must be lodged in writing or by phone with the General Manager by noon on the day preceding the meeting.
- Deputations are given five minutes to address Council.
- Deputations on the same matter will be listed together with the opposition first and the speaker in affirmative second.
- Members of the public are advised that any documents tabled or given to Councillors during the meeting become Council documents and access may be given to members of the public in accordance with the requirements of the Government Information (Public Access) Act 2009.
- The use of powerpoint presentations is permitted as part of the deputation, provided that the speaker has made prior arrangements with the General Manager's Office at the time of booking their deputation. The setup time for equipment is to be included in the total time of five minutes allocated for the deputation.
- To avoid conflicts of interest, real or perceived, deputations will not be accepted from:
 - a) Tenderers during a public tender or request for quotation
 - b) Persons or representatives from organisations seeking financial support from Council that involves an expression of interest
 - c) Consultants who are engaged by Council on the matter the subject of the deputation.

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.

Table of Contents

1.	Australian National Anthem	6
2.	Acknowledgement of Country	6
3.	Apologies.....	6
4.	Confirmation of Minutes.....	6
5.	Declarations of Interest and Reportable Political Donations.....	6
6.	Deputations	6
7.	Mayoral Minutes	7
	7.1 Mayoral Minute - Disaster Recovery Funding	7
8.	Planning and Environmental Health Division Reports	8
	8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition	8
	8.2 Planning Proposal - 305 The Coast Road, Skennars Head - Finalisation	18
	8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road	24
	8.4 Local Environmental Plan Amendments and Planning Proposals - Status	37
	8.5 Policy (Review) - Conflicts of Interest for Council Related Applications	46
9.	Corporate and Community Division Reports	48
	9.1 Use of Council Seal	48
	9.2 Investment Summary - May 2026	50
	9.3 Policy (Review) - Social Media	56
	9.4 Tender - Sewer Pump Station Switchboard Renewals	58
	9.5 Land Acquisition - North Creek Road Widening	60
	9.6 Delivery Program and Operational Plan - Adoption	65
10.	Civil Services Division Reports	99
11.	Notices of Motion	100
12.	Advisory Committee Minutes	101
	12.1 Finance and Facilities Committee Minutes - 10 June 2026	101
13.	Reports from Councillors on Attendance on Council's behalf	107
	13.1 Mayoral Meetings	107
14.	Confidential Session	109
	14.1 Licence Agreements - Water Reservoirs - Commercial Terms	109
	14.2 Land Acquisition - North Creek Road Widening - Commercial Terms	110

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error, omissions or inaccuracies. The information contained within each plan is for pictorial representation only and not to scale. Accurate measurements should be undertaken by survey.

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-

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

Cr Simon Chate has been granted leave of absence.

4. Confirmation of Minutes

A copy of the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 May 2026 were distributed with the business paper.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 May 2026.

5. Declarations of Interest and Reportable Political Donations

6. Deputations

7.1 **Mayoral Minute - Disaster Recovery Funding**

7. **Mayoral Minutes**

7.1 **Mayoral Minute - Disaster Recovery Funding**

Councillor

Sharon Cadwallader

I move:

That Council make representations to the Prime Minister, NSW Premier and the relevant Federal and State Ministers, and to LGNSW, to ensure that any proposed changes to the Federal and State Government formulas for disaster management funding, do not result in further cost shifting that results in the dilution of funds available to local government, or the transfer of unfunded costs and / or responsibilities to local government authorities.

Mayor's Comments

The Federal Government is proposing to replace the current Disaster Recovery Funding Arrangements (DRFA) with a new **Disaster Recovery Funding Framework**.

The incoming framework transitions disaster recovery into a standardized 50/50 shared partnership between the Federal and State /Territory Governments, down from the previous arrangements where the Federal Government contributed from 64% to 75% of costs.

A link to the National Emergency Management Agency (NEMA) website outlining this proposal is as follows: [Disaster Recovery Funding Framework](#)

Concerns have been expressed that these changes will result in State Governments passing on their increased share of the funding to local councils, who will not be able to provide the necessary funding to undertake the recovery works.

It is important that councils act promptly to ensure that any changes do not adversely impact on our ability to delivery services to the community.

This Mayoral Minute seeks Council approval to make representations to the Federal and State Governments, and LGNSW, to ensure that we do all we can to avoid extra, and unfunded responsibilities, being placed on local councils.

RECOMMENDATION

That Council make representations to the Prime Minister, NSW Premier and the relevant Federal and State Ministers, and to LGNSW, to ensure that any proposed changes to the Federal and State Government formulas for disaster management funding, do not result in further cost shifting that results in the dilution of funds available to local government, or the transfer of unfunded costs and / or responsibilities to local government authorities.

Attachment(s)

Nil

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

8. Planning and Environmental Health Division Reports

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

Section	Strategic Planning
Objective	To outline a planning proposal to transition Council land into the Ballina LEP 2012 along with correction of zoning anomalies and address of related land classification and categorisation under the Local Government Act 1993.

Background

At the 28 August 2025 Ordinary meeting Council considered a report on the transitioning of deferred matter land from the Ballina Local Environmental Plan 1987 (BLEP 1987) to the Ballina Local Environmental Plan 2012 (BLEP 2012).

Areas that are identified as deferred matters under the BLEP 2012 remain subject to the BLEP 1987. Transitioning deferred matter land to the BLEP 2012 means incorporating the land into the BLEP 2012 so that the provisions of the 2012 plan (including zoning and permissibility) apply to the land. Once land is no longer a deferred matter under the BLEP 2012, the BLEP 1987 does not apply.

In considering the 28 August 2025 report Council resolved that Council owned deferred matter properties that were excluded from Amendment No.55 be included within a planning proposal within the next 12 months.

A planning proposal addressing the identified Council owned land in line with Council's resolution has been prepared and is included as Attachment 1 to this report.

The planning proposal also addresses several zoning anomalies applicable to Council land.

The review of Council land with a deferred matter designation also identified land classification and categorisation matters under the *Local Government Act 1993* (LG Act) relative to the planning proposal which are addressed in this report.

This report details the Council properties included in the planning proposal and makes recommendations for the most appropriate zoning under BLEP 2012, including the land with zoning anomalies.

The classification and categorisation of some lots under the LG Act are also discussed along with associated recommendations.

Key Issues

- Transition of Council owned deferred matter land into Ballina LEP 2012

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

- Correction of zoning anomalies
- Correction of classification and categorisation of land

Discussion

Council Lots Subject to the Planning Proposal and Changes Under the LG Act

21 Council owned lots and part lots (Sites 1 to 21) are the subject of the planning proposal. The general location of these sites (excluding Site 5 at Meerschaum Vale) is shown in Diagram 1 as follows.

Attachment 2 contains aerial photo extracts, which show more precisely the location of the various lots or part lots, which form a part of the planning proposal.



Diagram 1 – General Site Location Diagram

Table 1 provides information relating to each site and the zone, classification and category changes proposed.

Diagrams and further information relating to each proposed change are contained in the planning proposal in Attachment 1.

Table 1 also nominates the Primary Use of Land (PUL) for land subject to a proposed zone change.

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

The PUL is defined in the *Northern Councils E Zone Review Final Recommendations Report* (NCEZR) as 'the main use for which the land has been used for the past two (2) years'.

Where land is proposed to be transitioned from BLEP 1987 to BLEP 2012, zone change recommendations are based on achieving consistency with the applicable PUL.

Under the guidance provided by the NCEZR a conservation zone (C2 or C3) may be applied to public land despite the land being inconsistent with the applicable criteria.

Table 1: Council owned properties subject to proposed zone changes and associated land classification category changes

Site No	Property Details	Existing Zones BLEP 1987	Primary Use of Land	Proposed Zones BLEP 2012	LG Act Classification Change
1	Part (Pt) Pacific Pines Playing Fields (Pt Lot 63 DP 1293430) 7 Daybreak Way Lennox Head	2(b) (Residential / Village Area) BLEP1987	Recreation	RE1 Public Recreation	No
2	Pt Skennars Head Sports Fields (Pt Lot 13 DP1245669), 54 Skennars Head Road, Skennars Head	2(a) (Residential / Living Area)	Recreation	RE1 Public Recreation	No
3 & 4	Pt Ballina Wastewater Treatment Plant (Pt Lot 1 DP 1003816 and Pt Lot 5 DP 243060 - 72 Fishery Creek Road, Ballina)	Rural (1(d) Urban Investigation)	Urban Infrastructure	SP2 Infrastructure	No
5	Meerschaum Vale Bushfire Brigade site (Lot 1 DP 749702) 1004 Wardell Road	Rural 1(b) (Secondary Agriculture)	Rural Infrastructure	RU2 Rural Landscape	No
6	Wastewater pumping station site (Lot 1 DP 604572) Shelly Beach Road, East Ballina	6(a) Open Space	Urban Infrastructure	SP2 Infrastructure	No
7	Stormwater detention pond, (Lot 2 DP 1239938 Hutley Drive) land corner Hutley and Snapper Drives at Lennox Head	Pt E1 Local Centre, pt R3 Medium Density Residential BLEP2012 and pt 2(b) (Residential / Village Area)	Urban Infrastructure in transition to recreation	RE1 Public Recreation	No

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

Site No	Property Details	Existing Zones BLEP 1987	Primary Use of Land	Proposed Zones BLEP 2012	LG Act Classification Change
8	Pt Bullinah Crescent Reserve, East Ballina (Pt Lot 22 DP1150518)	2(a) (Residential / Living Area)	Environmental Conservation and Residential / Infrastructure	Pt C2 Environmental Conservation and part R3 Medium Density Residential	No
9	Pt Chickiba Creek Foreshore, (Pt lot 105 DP 871675)	6(a) Open Space	Environmental Conservation	C2 Environmental Conservation	No
10	Pt Prospect Estate Residue - southwestern section (Pt Lot 105 DP 871675) being land having frontage to Eyles Drive, East Ballina	2(a) (Residential / Living Area)	Environmental Management	C3 Environmental Management	Yes Operational to Community with a category of Natural Area – Wetlands
11	Pt Chickiba Park – western section, (Pt lot 207 DP 851318) being land having frontage to Angels Beach Drive and Links Ave East Ballina	Pt 2(a) Living Area and Pt 6(a) Open Space	Environmental Conservation and Recreation	Pt C2 Environmental Conservation and Pt RE1 Public Recreation	Yes Operational to Community with a category of Pt Natural Area – Wetlands, Pt Natural Area Bushland, Pt General Community Use
12	Pt Chickiba Park – eastern section, (pt lot 207 DP 851318) being land having frontage to Angels Beach Drive, and backing onto residential properties which front Petrel Court, Silver Gull Drive, Curlew Court and Bayview Drive East Ballina	Pt 2(a) Living Area, pt 6(a) Open Space, pt Rural 1(d) (Urban Investigation)	Environmental Conservation and Infrastructure/ Recreation	Pt C2 Environmental Conservation and Pt RE1 Public Recreation	Yes Operational to Community with a category of Pt Natural Area – Bushland for C2 zone and Pt General Community Use for RE1 zone
13	Pt Chickiba Reserve (Pt Lot 114 DP 733248) being land having frontage to Casuarina Road, backing onto residential properties which front Wattle Cres, Casuarina Road and Chickiba Drive, East Ballina.	Pt 2(a) Living Area, pt 6(a) Open Space	Environmental Conservation and Infrastructure / recreation	Pt C2 Environmental Conservation and Pt RE1 Public Recreation	No

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

Site No	Property Details	Existing Zones BLEP 1987	Primary Use of Land	Proposed Zones BLEP 2012	LG Act Classification Change
14	Pt Ballina Byron Gateway Airport site - Lot 297 DP 755684, Corks Lane, Ballina	Rural 1(b) (Secondary Agriculture)	Infrastructure and Environmental Conservation	Pt SP2 Infrastructure and Pt C2 Environmental Conservation	No
15	Pt Booyul Estate Bushland Reserve – (Pt lot 17 DP 261887) land having frontage to North Creek Road, Lennox Head and including access ways to Page Court and Palisade Way.	6(a) Open Space	Environmental Conservation and Infrastructure / Recreation	Pt C2 Environmental Conservation and Pt RE1 Public Recreation	Yes Change category of proposed RE1 zone and existing R2 zone access ways from Natural Area Bushland to General Community Use
16	North Creek interface land north of Prospect Street East Ballina (Pt Lot 116 DP 261074) backing onto properties fronting Northumberland Drive	2(a) Living Area	Infrastructure / Recreation	RE1 Public Recreation	Yes Change category applicable to proposed C2 zone from Natural Area Wetland to General Community Use.
17	Duck Creek Mountain Bike Park, (Lot 12 DP 814359) 240 Bruxner Highway, Alstonville.	Pt Rural 1(e) Extractive and Mineral Resources) BLEP1987 & Pt RU1 Primary Production	Recreation	RE1 Public Recreation	Yes Operational to Community with a category of General Community Use
18	Pt Lennox Head Wastewater Treatment Plant – (Pt Lot 2 DP 612374) 352 North Creek Road, Skennars Head	Pt Rural 1(b) (Secondary Agriculture) and Pt Rural 1(d) (Urban Investigation)	Environmental Conservation and Urban Infrastructure	C2 Environmental Conservation and SP2 Infrastructure	No
19	Pt Headlands Reserve – (Pt Lot 33 DP 846639), being land behind properties having frontage to Carroll Avenue Skennars Head	Residential 2(b) Village Area	Recreation	RE1 Public Recreation	No

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

Site No	Property Details	Existing Zones BLEP 1987	Primary Use of Land	Proposed Zones BLEP 2012	LG Act Classification Change
20	Pt Angels Beach Bushland Reserve & Flat Rock Tent Park site (Pt Lot 59 DP 827785) 38 Flat Rock Road, Skennars Head	Unzoned land	Environmental Conservation	C2 Environmental Conservation	No
21	Pt Campbells Common, (Pt Lot 317 DP 1148856) Cumbalum	Residential 2(b) Village Area	Environmental Conservation	C2 Environmental Conservation	No

Additional Information on Two Key Sites – Zoning Anomalies

Site No 7 – Public Reserve Hutley Drive, Lennox Head (Lot 2 DP 1239938)

Lot 2 has an area of 5.532 ha and is outlined in red on the aerial photo extract in Diagram 2.

Lot 2 was created in 2018 and dedicated at that time as a public reserve.

The lot contains stormwater infrastructure (detention pond) which services the nearby urban area to the north.

Only a small part of Lot 2 (469m²), located in the southeastern corner, is zoned as 2(b) Village zone under BLEP 1987.

It is this area that is proposed to be transitioned into BLEP 2012 under the RE1 Public Recreation zone.

The remainder of Lot 2, excluding the 7(a) Wetland zoned area on the western side, is already zoned under BLEP 2012 as E1 Local Centre and R3 Medium Density Residential.

The planning proposal process provides an opportunity to review the appropriateness of the existing BLEP 2012 zones.

Given that the site is a dedicated public reserve, it is proposed to replace the E1 and R3 zones with a RE1 Public Recreation zone, consistent with the RE1 zone that is recommended to replace the 2(b) Village zone.

Existing and proposed zones are shown in the following diagrams.

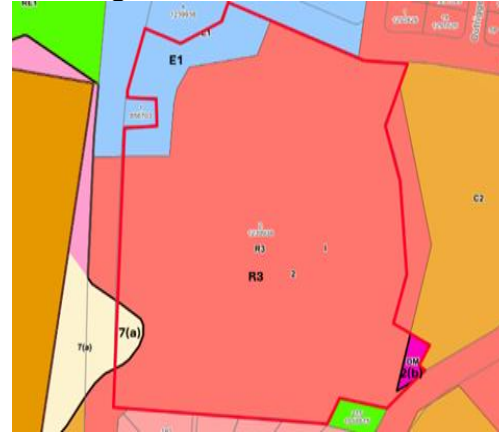
No changes to the *Community* land classification or *General Community Use* category applicable to Lot 2 are proposed.

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

Aerial Photo Extract



Existing Zones



Proposed Zones - RE1 Public Recreation for all but the 7(a) portion

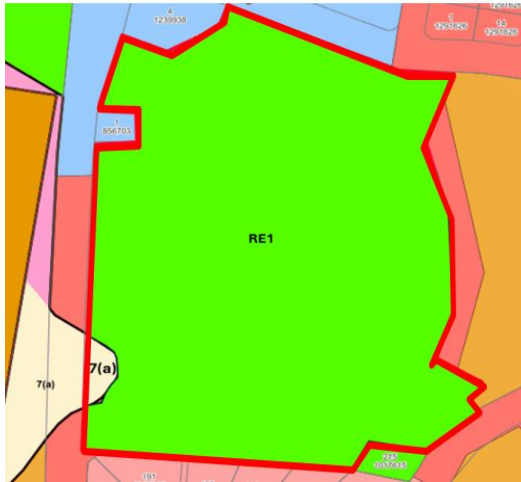


Diagram 2 – Aerial Photo Extract and Existing and Proposed Zones - Lot 2 DP 1239938

Site 17 - Duck Creek Mountain Bike Park Alstonville (Lot 12 DP 814359)

Lot 12 has an area of 18.53ha and is outlined in red on the aerial photo extract in Diagram 3 as follows.

Most of Lot 12 is zoned 1(e) Rural (Extractive and Mineral Resources) under BLEP 1987. Two small areas (2,200m² approximately) on its western side are zoned RU1 Primary Production under BLEP 2012. It is proposed to rezone the whole of Lot 12 to RE1 Public Recreation.

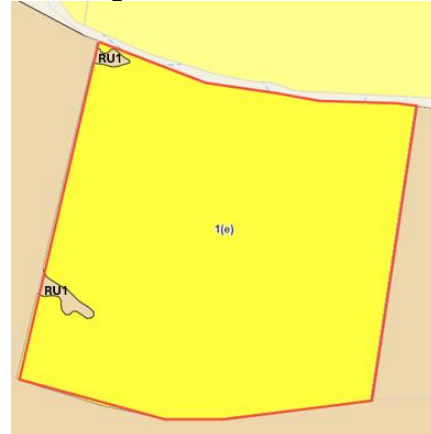
Lot 12 is heavily vegetated. The vegetation consists of subtropical rainforest species which would meet the criteria for a C2 or C3 zone. However, given the recreational use of the land for mountain bike activities the PUL has been assessed as recreation. A PUL of recreation supports the application of a RE1 zone to the land.

Lot 12 is classified as Operational land. It is also proposed to change this classification to Community land and apply a category of General Community Use.

Aerial Photo Extract



Existing Zones



Proposed Zone RE1 Public Recreation BLEP2012

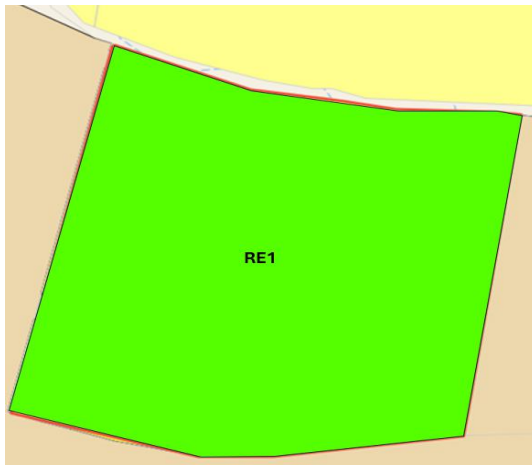


Diagram 3 – Aerial Photo Extract and Existing and Proposed Zones - Lot 12 DP 814359

Consequential Changes to Ballina LEP 2012 Mapping

In addition to zoning changes, the planning proposal provides for several consequential changes to BLEP 2012 maps.

These changes vary from site to site and affect the following maps:

- Acid Sulfate Soils
- Building Height Allowance
- Height of Buildings
- Land Application Map
- Lot Size
- Strategic Urban Growth Area

Local Government Act 1993 (LG Act) Classification and Reclassification of Public Land

Reclassifying land from Operational to Community may be achieved via a Council resolution under s33(1) of the LG Act, subject to public notice and a minimum 28-day period in which to make submissions (LG Act s34(3)).

This process may be undertaken concurrently with the exhibition of the planning proposal.

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

Once land is classified as Community land, it must be used in accordance with a plan of management which applies to the land.

The applicable plan of management is the Plan of Management for Community Land (PMCL), which can be viewed here [plan-of-management-for-community-land_2025.pdf](#).

The PMCL was last reviewed in September 2025 with amendments exhibited in October 2025 and Council adoption in November 2025.

The PMCL categorises community land based on the predominant and expected use of land in accordance with the requirements of the LG Act, for example, sportsground, natural area etc.

In respect to the categorisation of the land, or its recategorisation, this can only be achieved through amendment of the PMCL.

Given that the PMCL was only recently adopted land categorisation changes discussed in this report, if ultimately adopted, will be scheduled for incorporation within the PMCL when next revised.

Until a change in category is put into effect through the PMCL process the use of the land must not be changed (LG Act s44). No use changes are proposed.

Delivery Program Strategy / Operational Plan Activity

Reviewing deferred matter areas and the preparation of planning proposals aligns with the 2025 – 2029 Delivery Program and Operational Plan Healthy Environment Direction – Strategy:

HE3.1 Develop and implement plans that balance the built environment with the natural environment.

Community Engagement Strategy

Community engagement will be undertaken in accordance with the public exhibition requirements specified in the Gateway determination, Council's Community Participation Plan and as required by the Environmental Planning and Assessment Act 1979 and Local Government Act 1993.

Financial / Risk Considerations

The preparation of the planning proposal and any subsequent processes will be funded through existing operating budgets.

Options

Option 1 – Endorse the planning proposal for submission to DPHI for Gateway determination. Endorse the proposed land reclassification, and recategorisation options for public exhibition.

This is the recommended option. Under this approach the planning proposal in Attachment 1 will be submitted to the DPHI and the land classification and categorisation matters would be exhibited concurrent with the planning proposal post gateway determination.

8.1 Planning Proposal - Council Owned Land - Deferred Matters Transition

As part of progressing the planning proposal to Gateway determination Council may make amendments to the proposal as considered appropriate prior to submission to the DPHI.

It is recommended that Council does not seek to exercise delegated plan making functions in relation to this planning proposal given Council's ownership of the land parcels the subject of the proposal.

Option 2 – Take no further action.

This option is not recommended as the planning proposal enables the integration of Council owned land into the Ballina LEP 2012 with regard for current and planned land use outcomes.

RECOMMENDATIONS

1. That Council endorses Planning Proposal BSCPP 26/002, as per Attachment 1 to this report, to integrate Council owned land parcels into the operation of the Ballina Local Environmental Plan 2012.
2. That the planning proposal be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
3. That upon an affirmative Gateway Determination, the procedural steps associated with progression of the planning proposal be undertaken, including consultation with the relevant State Government Agencies, along with public exhibition.
4. That the proposed land classification and categorisation changes as detailed in Attachment 1 and Table 1 be exhibited concurrently with the planning proposal.
5. That the Department of Planning, Housing and Infrastructure be advised that Council does not wish to exercise its delegated plan making functions for this LEP amendment.
6. That the planning proposal and land reclassification / categorisation change proposals be further considered by the Council following public exhibition.

Attachment(s)

1. BSCPP 26/002 - Council Land Deferred Matter Transition Planning Proposal [⇨](#)
2. BSCPP 26/002 - Location Diagrams [⇨](#)

8.2 Planning Proposal - 305 The Coast Road, Skennars Head - Finalisation

8.2 Planning Proposal - 305 The Coast Road, Skennars Head - Finalisation

Section	Strategic Planning
Objective	To report on the public exhibition of a planning proposal to rezone 305 The Coast Road, Skennars Head and seek direction on finalisation of the LEP amendment.

Background

At the 28 August 2025 Ordinary meeting, Council resolved to support a planning proposal for the rezoning of 7.5 hectares of Deferred Matter (DM) land at 305 The Coast Road, Skennars Head (Part of Lot 7 DP 1225206).

The proposed zoning is a combination of C2 Environmental Conservation, C3 Environmental Management and RU1 Primary Production. Consequential changes to LEP minimum lot size (MLS), height of building (HOB) and land application maps are also part of the planning proposal.

The report from the August 2025 meeting is available [here](#).

A Gateway Determination was received on 22 September 2025 requiring minor amendments to the planning proposal prior to public exhibition and consultation with public authorities.

The revised planning proposal is included as Attachment 1 and the Gateway Determination is Attachment 2.

Consultation with State Government Agencies occurred from 29 September to 11 November 2025.

Council does not have delegation from the DPHI to finalise the LEP due to the inclusion of conservation zones.

Council's resolution also required the preparation of a draft planning agreement (PA) to ensure that no dwelling could be built on land on the eastern side of The Coast Road that is proposed to be zoned C2 Environmental Conservation. The draft PA was finalised in February 2026.

Public exhibition of the planning proposal and draft PA occurred from 12 February to 27 March 2026.

Some amendments to the PA were made post exhibition, which are discussed within this report. The changes do not fundamentally alter the intent of the PA and no further public exhibition is required.

This report provides an overview of the planning proposal and summarises responses received during the consultation phases.

It is recommended that the planning proposal be sent to the Department of Planning, Housing and Infrastructure (DPHI) for finalisation and the PA be executed.

8.2 Planning Proposal - 305 The Coast Road, Skennars Head - Finalisation

Key Issues

- Merit of the proposed amendments
- Provisions in the PA to limit development opportunity on important coastal land

Discussion

The planning proposal was initiated by the landowners who are seeking to facilitate a future subdivision of the land consistent with planned residential development at Skennars Head, and to limit the development potential of strategically important coastal areas.

In circumstances where a parcel of land has multiple zones ('split zones') and a proposed subdivision would result in an area of land that is below the minimum lot size, Clause 4.2C of the Ballina Local Environmental Plan (LEP) 2012 provides for an outcome where the subdivision can proceed.

However, Clause 4.2C does not apply to any areas that are Deferred from LEP 2012.

Therefore, a rezoning is required to transition the Deferred Matter land to an appropriate ('relevant') zone in LEP 2012 before a development application for subdivision as foreshadowed can be lodged.

Maps of the existing and proposed zones (Figures 1, 2 and 3) and a table of the proposed changes (Table 1) are provided as follows.



Figure 1: Current zoning in LEP 2012

8.2 Planning Proposal - 305 The Coast Road, Skennars Head - Finalisation



Figure 2: Current zoning in LEP 1987

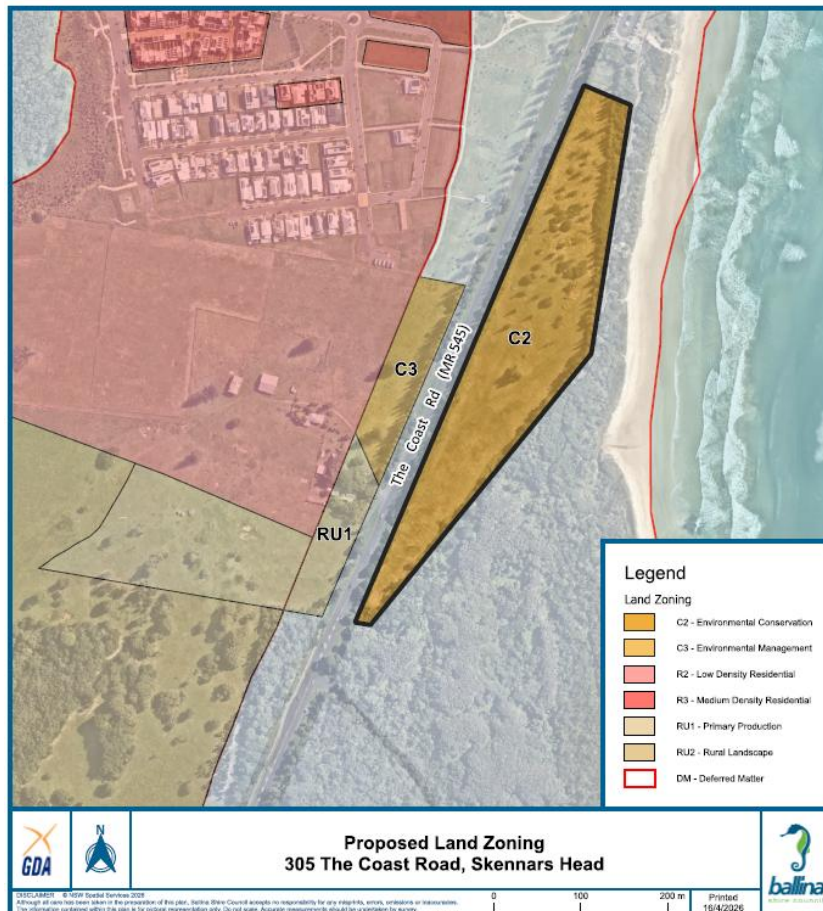


Figure 3: Proposed zoning LEP 2012

Table 1: Proposed Zone Changes

Current Zone	Area of land	Proposed Zone	Area of Land
7(f) - Environmental Protection (Coastal Lands).	5.52 hectares	C2 – Environmental Conservation	5.52 hectares
7(d) - Environmental Protection (Scenic / Escarpment	1.9 hectares	C3 – Environmental Management & RU1 – Primary Production	1.1 hectares & 0.8 hectares

Future Use of the Rezoned Land

A future subdivision of the site will see the proposed C2 Environmental Conservation zoned area on the eastern side of The Coast Road remain in private ownership, proposed by the landowner to be ultimately managed by a not-for-profit trust.

A draft PA has been prepared and publicly exhibited with the planning proposal which will ensure a restriction is placed on the C2 zone land so that no dwelling houses can be constructed and that vegetation management and improvement works are undertaken.

The PA is required because dwellings are permitted with consent in zone C2 Environmental Conservation. A copy of the updated draft PA is included as Attachment 3 and is discussed elsewhere in this report.

The LEP 1987 7(d) zoned land on the western side of The Coast Road is to be rezoned C3 and RU1. The area to be zoned C3 will likely be transferred to Council as part of a future residential subdivision, extending the existing visual buffer and public open space located directly north of this land, adjacent to the Aureus residential estate.

The area to be zoned RU1 contains an existing dwelling and is to be consolidated with adjoining RU1 zoned land in the same ownership.

Agency Consultation

Public exhibition of the planning proposal occurred in accordance with the requirements of the Gateway Determination. Responses from State and other agencies are summarised in Table 2. Full responses received are included as Attachment 3.

Table 2: Agency Responses

Agency	Summary of Response	Staff Comment
Rural Fire Service	No objection. Future development on mapped bushfire prone land will need to satisfy the requirements of <i>Planning for Bushfire Protection</i> guidelines.	Noted.
DCCEE CPHR	No objection. Consider the impacts of overland flooding.	Noted.
Department of Primary Industries and Regional Development	No objection. A Land Use Conflict Risk Assessment (LUCRA) should be undertaken at DA stage.	Noted.
Jali LALC	No response provided.	

No public submissions were received.

8.2 Planning Proposal - 305 The Coast Road, Skennars Head - Finalisation

Draft Planning Agreement (PA)

A draft PA was publicly exhibited alongside the planning proposal.

The PA required:

- (i) Vegetation Management Works – to be carried out in accordance with a Vegetation Management Plan (VMP) approved by Council on the land to be zoned C2. Works must be commenced prior to the issue of a Subdivision Certificate and maintained for a minimum period of five years.
- (ii) Registration of Restriction on Use – a restriction on use on the land to be zoned C2 is to be registered on the title to the effect that no dwelling houses may be built on that part of the land. The registration must occur prior to the issue of a Subdivision Certificate.

See Section 8 of the agreement for more specific details of the requirements.

The PA provides public benefit by ensuring 5.5 hectares of important coastal land will be protected from future development and contributes to the protection and enhancement of coastal vegetation.

After the exhibition period Council staff requested further minor amendments to the PA which were subsequently added and agreed to by all parties.

The amendments are as follows:

- Set out in more specific detail the restriction on dwellings on the C2 Land (see clause 8.2.3)
- Clarify that the PA is to remain registered on the title to the C2 Land
- Identify the parts of the C2 Land on which the vegetation management works are to be carried out, and
- Specify minimum conditions for the vegetation management plan to be approved under the VPA.

A copy of the updated draft PA is included as Attachment 4.

Delivery Program Strategy / Operational Plan Activity

The planning proposal and associated PA aligns with the following Delivery Program Strategies:

- HE1.3 - Enhance our open spaces, reserves, natural areas and their heritage values
- HE3.1 - Develop and implement plans that balance the built environment with the natural environment

This matter involves a landowner-initiated planning proposal and aligns with Council's overall strategic planning program regarding the management of planning proposals and Council's planning instruments.

Community Engagement Strategy

Community engagement has been undertaken in accordance with Gateway Determination requirements and Council's Community Engagement Strategy.

The draft planning proposal and PA were exhibited from 12 February to 27 March 2026 on Council's Your Say engagement platform.

Financial / Risk Considerations

There are no financial or known risks in finalising the planning proposal.

Options

Option 1: Endorse the planning proposal to be sent to the Department of Planning, Housing and Infrastructure for finalisation.

Council does not have delegation to finalise the LEP amendment as local plan making authority due to 'C' zones being proposed. Under this option, the planning proposal will be forwarded to the DPHI to request finalization of the LEP amendment. In addition, it is recommended that Council endorse and execute the PA (along with the landowner) prior to finalisation of the LEP amendment. This is the recommended option.

Option 2: Council could elect not to support the planning proposal for finalisation.

This is not recommended as there are no objections and no technical or identified planning merit grounds for rejecting the proposal. The proposal provides for planned residential development and environmental enhancement and protection of coastal land east of The Coast Road.

RECOMMENDATIONS

1. That Council endorses Planning Proposal BSCPP 25/002 – Rezoning 305 The Coast Road, Skennars Head, as per Attachment 1 to this report.
2. That Council submits Planning Proposal BSCPP 25/002 to the Department of Planning, Housing and Infrastructure for finalisation in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979*.
3. That Council authorises the General Manager to arrange for execution of the Planning Agreement associated with Planning Proposal BSCPP 25/002, as per Attachment 4 to this report, including affixing of the Council Seal.

Attachment(s)

1. BSCPP 25/002 - Planning Proposal - Post Exhibition [⇒](#)
2. BSCPP 25/002 - Gateway Determination [⇒](#)
3. BSCPP 25/002 - Agency Submissions [⇒](#)
4. BSCPP 25/002 - Planning Agreement - Post Exhibition [⇒](#)

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

Section	Strategic Planning
Objective	To present a scoping proposal for the preparation of a planning proposal to permit an educational establishment as an additional permitted use at 450 North Creek Road, Skennars Head

Background

This report outlines a scoping proposal submitted by Newton Denny Chapelle (NDC) on behalf of John Stewart, owner of the Living School.

The proponent is seeking in-principle support for the preparation of a planning proposal to amend Schedule 1 in the Ballina Local Environmental Plan (BLEP) 2012 to include *educational establishment* as an Additional Permitted Use (APU) at 450 North Creek Road, Skennars Head (Lot A DP 415993).

Figure 1 shows the location of the site and surrounding locality.



Figure 1: Part 450 North Creek Road Skennars Head

The Living School is an independent, not-for-profit co-learning community, currently based in Lismore and surrounds.

Following the 2022 flood event that displaced its campus in Lismore, the school started using the subject land for outdoor education activities under its 'Thrivers Onland' program.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

Following compliance action by Council in response to complaints regarding the school's activities on the site, the Living School agreed to vacate the premises and not use the property as a school until relevant development consent/s were obtained.

As a school is not permitted under the current zoning the Living School is seeking to amend the BLEP 2012 to make *educational establishment* permissible, after which a development application can be submitted.

A scoping proposal has been submitted as the first stage in the planning proposal process.

It allows Council to consider all relevant issues, decide whether it supports in-principle, submission of a planning proposal, and confirm the extent of technical reporting required to support the proposal.

If a planning proposal is subsequently submitted, Council then reviews all information in greater detail and determines if it should proceed to a Gateway Determination and public exhibition.

This scoping proposal is being reported to Council for consideration given its unique nature.

This report outlines the scoping proposal and the key issues.

It is recommended that Council provide in-principle support for the preparation of a planning proposal to permit an educational establishment as an Additional Permitted Use at 450 North Creek Road, Skennars Head.

If the proponent proceeds to prepare a planning proposal, the proposal will be reported to Council for a decision on whether to proceed to Gateway Determination.

That is, Council will have a further opportunity to consider the proposal, including additional detail.

However, if Council does not support the concept being examined further, it would be more appropriate to advise the proponent now that Council does not wish to proceed.

Key Issues

- Strategic Merit and Suitability of the Site
- Flooding, bushfire risk and other environmental constraints
- Traffic, Access and Infrastructure Servicing

Discussion

The site

The site is located at 450 North Creek Road, Skennars Head and is zoned RU1 Primary Production.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

The following table provides a summary of key characteristics of the site.

Address	450 North Creek Road, Skennars Head
Lot / DP	Lot A DP 415993
Lot Area	Approximately 43.9 hectares
Current Zoning	RU1 Primary Production (BLEP 2012)
Current Uses	Cattle grazing, dwelling house & structures previously used for informal educational activities associated with the Living School's 'Onland' program prior to compliance action
Adjoining Uses	North Creek to the west; grazing land to south and east; BSC Sewerage Treatment Works and Ballina Nature Reserve to the north
Strategic Context	The land is identified in Council's local strategic planning framework and the North Coast regional Plan as a potential urban area.

Figures 2 and 3 show the extent of Lot A, the part of the lot on which the school's outdoor activities had been operating and aerial imagery of existing school structures, which occupy around three hectares of the (approximately) 44 hectare property.



Figure 2: Aerial Imagery Showing Entire Lot and Use Extent



Figure 3: Aerial Imagery Showing School Structures

Compliance History

The use of the land by the Living School came to Council's attention following a complaint.

Following a review of the issues raised it was identified that no approvals were in place for the operation of an *educational establishment*. It was further determined that *educational establishment* is not permitted in the RU1 zone that applies to the property.

Council subsequently corresponded concurrently with the landowner and the school regarding the use, what was involved, how it evolved and what was proposed for the future.

In response, the landowner and the operator of the Living school agreed to vacate the premises and not to use the land or buildings as a school or any other unauthorised purpose, until development approval obtained.

The buildings currently remain vacant. Subject to any future approval of a planning proposal and subsequent development application, these buildings will all have to be managed in accordance with Council's building, fire safety, environmental, and amenity maintenance standards.

Proposal

The proposed use of the site is as a specialised outdoor education campus associated with the Living School framework. Key activities proposed include curriculum-linked outdoor learning for up to 200 students (primarily on Fridays), as a distance education support for NESA-accredited HSC and RoSA pathways, sustainability and community events, student camps, and teacher professional development.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

The proponent describes the use as a hybrid of outdoor education, distance education support, and agritourism, intended to maintain the site's primary production integrity. These uses fall within the definition of *educational establishment* in the BLEP, which is not permitted in the RU1 zone.

Therefore, the Living School is seeking through a planning proposal to amend the BLEP to make *educational establishment* permissible in the zone. This would enable a development application to be lodged and the use to be lawfully approved, while also addressing existing non-compliances.

The definition of an *educational establishment* under the BLEP is:

educational establishment means a building or place used for education (including teaching), being—

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

The relevant act is the *Education Act 1990*.

The proponent is seeking to list *educational establishment* as an Additional Permitted Use (APU) for the subject land under Schedule 1 of the LEP and the associated APU LEP map.

The APU mechanism is the proposed pathway, rather than a broader rezoning of the entire lot to a zone that permits the use. This approach is appropriate at this stage as it can allow the permitted use to be confined to part of the subject lot and doesn't enable the site to be used for uses other than those currently permitted in the RU1 zone.

Should a planning proposal be lodged, it will be expected to demonstrate why the APU pathway is preferred over a zone change, as required by the Department of Planning, Housing and Infrastructure's (DPHI) LEP Making Guidelines.

It is anticipated that the use would be confined to an area like that shown in Figure 4, excluding the driveway, and subject to a detailed review of constraints in a planning proposal.



Figure 4: Indicative Extent of APU

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

Strategic Planning Merit

A preliminary assessment indicates that the proposal demonstrates strategic merit as outlined as follows.

North Coast Regional Plan (NCRP) 2041

The site is part of an Urban Growth Area for Ballina in the NCRP. Additionally, the NCRP supports sustainable communities, the provision of social infrastructure, educational services, and employment growth and proposal is broadly consistent with these directions, including Objective 11 (well-located employment land) and Objective 18 (sustainable communities).

The region's population growth is expected to generate demand for school places and educational services, particularly in growth areas around Skennars Head and Lennox Head.

Ballina Local Strategic Planning Statement (LSPS) 2026

The LSPS identifies residential and non-residential growth areas.

The site is identified on both the residential growth and potential employment expansion area maps for Lennox Head / Skennars Head following a Council resolution to investigate additional sites for employment land including this land.

The proposal is consistent with the LSPS's population growth projections and its direction to support community infrastructure.

Strategic Urban Growth Area (SUGA)

As shown in Figure 5, the site is identified as being a significant part of a SUGA, containing both (a) SUGA land, and (b) Land Adjoining SUGA under Clause 7.8 of BLEP 2012.

The SUGA mapping identifies future urban and urban-supporting land uses for the area.

Educational establishments are fundamental to urban communities and are consistent with the types of social infrastructure the SUGA framework is intended to accommodate.

The proposed use of part of the site for a school is consistent with the SUGA objectives.

Identifying only part of the site for the purposes of *educational establishment* on an Additional Permitted Uses map will ensure that most of the site will remain available for future housing and employment uses consistent with the LSPS.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road



Figure 5: Strategic Urban Growth Area (Part of the property subject to APU consideration shown indicatively by blue dot)

Key Site Constraints and Issues

Council's technical staff have reviewed site constraints, and the following summarises the key issues identified.

These matters will be required to be fully addressed through technical studies submitted with a formal planning proposal.

Flooding and Landform

Much of the site occupies the low-lying floodplain of North Creek and minor streams.

There is a north-south aligned sloping ridge of higher ground connected to generally flood-free land to the north, on which the existing driveway, road access and structures are located.

This higher ground represents the likely development envelope for any proposed infrastructure.

Educational uses are compatible with the flood-free part of the site, but any structures, fill or occupation by school children would not be appropriate on the flood-labile sections of land.

North Creek Road heading northward provides a suitable flood evacuation route to Lennox Head.

A flood assessment report will be required as part of the planning proposal to formally define the flood-free development envelope and confirm appropriate flood evacuation provisions.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

Figure 6 shows the extent of the Probable Maximum Flood in relation to existing structures.



Figure 6: Site Showing Probable Maximum Flood Extent (Orange and Purple)

Bushfire

The site is mapped as bushfire prone land as shown in Figure 7. The northern boundary is mapped as Vegetation Category 1 (highest risk), with the remainder of the site largely Category 3, mainly due to grassland coverage.

A Bushfire Assessment Report prepared in accordance with *Planning for Bush Fire Protection 2019* will be required to accompany a planning proposal.

Asset Protection Zone (APZ) requirements will need to be resolved as part of identifying a suitable development envelope, and the assessment must occur in conjunction with consideration of biodiversity and ecological characteristics.

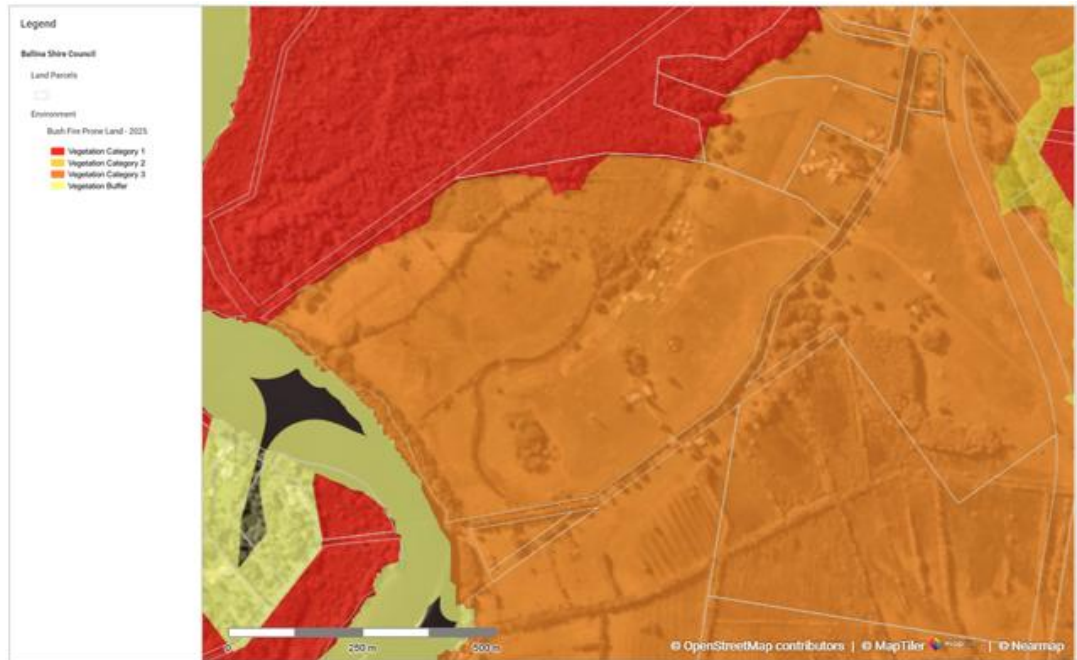


Figure 7: Site Showing Bushfire Prone Land Mapping

Acid Sulfate Soils

The land is mapped as containing Class 2 and Class 5 Acid Sulfate Soils (ASS).

Further investigations and assessment regarding ASS hazard will need to be completed for a planning proposal.

Biodiversity and Ecology

A review identifies the following matters with respect to biodiversity:

- **Threatened Ecological Communities (TECs):** based on recorded sightings and studies on adjacent land, TECs may be present, including Subtropical and Temperate Coastal Saltmarsh, Coastal Swamp Sclerophyll Forest, Coastal Swamp Oak Forest and Lowland Rainforest of Subtropical Rainforest, Freshwater Wetlands on Coastal Floodplains
- **Threatened Species:** an NSW Bionet Atlas search within 10km of the site identified records for 88 threatened fauna species, 28 threatened flora species, six NSW listed TECs, and five federal listed TECs
- **Key Fish Habitat:** the site is adjacent to Key Fish Habitat (KFH) under the *Fisheries Management Act 1994*. This requires a minimum 100m riparian management zone. Built infrastructure within the zone is not recommended
- **Coastal Wetlands:** the site contains mapped Coastal Wetlands and falls within the 100-metre Proximity Area for Coastal Wetlands under *SEPP (Resilience and Hazards) 2021*. An appendix A checklist against the *NSW Coastal Design Guidelines 2023* will be required
- **Koala Habitat:** the scoping proposal acknowledges unmapped koala habitat on the site. Koala records are known in the vicinity. A field survey for koalas and their habitat will be required

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

- Wildlife Corridors: fauna wildlife corridors bound the site to the north and west, corresponding to important riparian habitat, Key Fish Habitat and wetlands.

A Biodiversity Assessment Report (BAR) will be required with a planning proposal as well as environmental constraints mapping identifying TEC entities, appropriate ecological buffers and a viable development envelope outside of high environmental areas, with APZ requirements also considered.

Traffic and Road Access

Access to the site exists via North Creek Road, which narrows to a 4-metre sealed surface for approximately 440 metres south of the Sewerage Treatment Works access before reaching the site driveway.

The existing driveway is not constructed to accommodate bus turning movements or site distance requirements for a school use.

There is no existing pedestrian or cyclist infrastructure along North Creek Road, and the area is not serviced by public transport.

The following infrastructure upgrades would likely be required to support the proposed use:

- Upgrade of approximately 440 metres of North Creek Road to a 6-metre sealed surface
- Upgrade of the site access driveway to a sealed standard compliant with the Northern Rivers Development Design and Construction Manual, with bus turning movements and adequate sight distance
- Sealed internal access driveway with passing bays and sealed parking areas compliant with Planning for Bush Fire Protection standards.

Council has investigated future upgrade works to North Creek Road and the North Creek bridge as a longer-term capital project.

The potential future upgrade of this road corridor as a strategic connection between Skennars Head, Lennox Head, and Ballina is a relevant consideration for the long-term functioning of the site.

A Traffic and Access Assessment prepared by a suitably qualified traffic engineer will be required to accompany the planning proposal.

Water, Wastewater, Electricity and Telecommunications Infrastructure

The site is not connected to Council's reticulated water infrastructure. The site is not immediately eligible to connect to the water main along North Creek Road due to distance, nor is it eligible as a rural connection. However, there is potential to negotiate a water supply arrangement given the type of facility proposed.

A sewer receival pit servicing the Lennox Head Wastewater Treatment Plant (WWTP) and located approximately 385 metres from the site has sufficient capacity to accept sewage load.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

A sewer connection would be a private connection not owned or maintained by Council and would be subject to negotiation.

Connection to this infrastructure would be preferable to a purely on-site solution.

However, on-site wastewater management for a school scale use may be suitable subject to compliance with relevant legislation.

Consultation will be required with the relevant authorities to ensure power supply and telecommunications capacity are adequate to meet the needs of the development at cost to the proponent.

An Infrastructure Services Report will be required detailing how the site is to be serviced (water, wastewater, electricity, telecommunications).

Contaminated Land

The contamination status of the site is not fully known, and a Preliminary Site Investigation (PSI) prepared in accordance with NSW EPA guidelines will be required with a planning proposal.

Subject to the findings of the PSI, further investigation or remediation may be required before the land can be confirmed as a suitable site for an educational establishment.

Aboriginal Cultural Heritage

An AHIMS search has identified two Aboriginal sites or places on or within 50 metres of the subject land.

It is understood that Aboriginal Elders have previously been involved with activities on the property.

A cultural heritage assessment will be required as part of the planning proposal, with further consultation to be undertaken with the Local Aboriginal Land Council.

Potential Land Use Conflict

The site adjoins rural and grazing land uses and is part of a SUGA, which may accommodate other urban uses in the future. Land use conflict considerations, including noise from events and student activities, and dust and odour from surrounding agricultural uses, will have to be addressed through a Land Use Conflict Risk Assessment (LUCRA).

The site's scale and the nature of activities proposed (including camps and events) are relevant in this assessment as are potential conflicts with future urban uses.

Does the Proposal Warrant In-Principle Support?

This discussion shows that the site presents several environmental constraints, particularly in relation to biodiversity and ecology, flooding and bushfire.

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

These constraints will limit the area of the site suitable for buildings and infrastructure.

However, there appears to be potential for a suitable development envelope to be identified and necessary access and other infrastructure to be provided.

The proposal has merit from a strategic planning perspective and is consistent with Council strategies for the Lennox Head / Skennars Head area and the shire.

Limiting the extent of a future *educational establishment* will ensure the entire lot is not 'alienated' for other urban future urban purposes.

Providing in-principle support does not commit Council to supporting a planning proposal; it enables the proponent to invest in the technical work required and provides clarity on what studies are needed.

There will be further opportunity to formally consider the planning proposal once it is fully documented and submitted to Council.

Delivery Program Strategy / Operational Plan Activity

The consideration of planning proposals and LEP amendments is an established operational activity consistent with Council's strategic planning program and LEP maintenance under its Delivery Program and Operational Plan.

Community Engagement Strategy

No formal community consultation has occurred at this stage.

Should a formal planning proposal be submitted and a Gateway Determination received, community consultation will be undertaken in accordance with the *Environmental Planning and Assessment Act 1979* and associated *Regulation*.

The Gateway Determination will specify consultation requirements, including agency referrals and public exhibition.

Given the nature of the proposed use and its location, community interest is anticipated.

Financial / Risk Considerations

All costs associated with the planning proposal, including technical studies, are to be met by the proponent in accordance with Council's adopted Fees and Charges.

Options

The options available to Council when considering this matter include the following:

8.3 Scoping Proposal - Educational Establishment - 450 North Creek Road

Option 1 – Provide In-Principle Support for Submission of a Planning Proposal

Under this option Council provides in-principle support for the preparation and submission of a planning proposal by the proponent to permit an *educational establishment* as an Additional Permitted Use on part of Lot A DP 415993, 450 North Creek Road, Skennars Head, incorporating all technical studies identified in this report.

This is the recommended option.

The proposal demonstrates strategic merit suitable as a basis for further investigation of the proposed land use outcome. In-principle support does not commit Council to supporting a subsequent planning proposal. A planning proposal will need to address all the matters discussed in this report along with relevant SEPPs and Local Planning Directions to Council's satisfaction, including identification of a suitable develop envelope.

Option 2 – Decline In-Principle Support

Council declines to provide in-principle support. This option is not recommended. The proposal demonstrates sufficient merit to warrant further investigation.

However, if the Council does not wish to examine the proposed education establishment concept further, now is an appropriate time to indicate this.

RECOMMENDATIONS

1. That Council provides in-principle support for the preparation of a planning proposal that seeks to permit an *educational establishment* as an Additional Permitted Use on part of Lot A DP 415993, 450 North Creek Road, Skennars Head.
2. That Council invites the proponent to submit a planning proposal in line with point 1 and advises the proponent of the information and technical requirements for a planning proposal as identified in this report.

Attachment(s)

1. Scoping Proposal - Newton Denny Chapelle on behalf of Living School [⇒](#)

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Section	Strategic Planning
Objective	To report on the status of Local Environmental Plan amendments and planning proposals.

Background

Council has an ongoing program of processing amendments to the Ballina Local Environmental Plan (LEP) 2012 and Ballina LEP 1987 and associated planning proposals.

This report provides an update on the LEP amendments.

Key Issues

- Status of rezoning and LEP Amendment proposals
- Overall number

Discussion

LEP Amendment Requests and Planning Proposals Status

Table 1 provides an overview of the LEP amendment requests, planning proposals and scoping proposals currently being processed and those finalised since the last update report.

The term planning proposal refers to the documentation to describe a Council or proponent-initiated proposal to amend the Ballina LEP/s.

Proposals are typically referred to as planning proposals once Council has agreed to progress the initial LEP amendment proposal and has prepared the required planning proposal documentation for Gateway determination by the NSW Department of Planning, Housing and Infrastructure (DPHI).

At present Council is managing a higher volume of planning proposals than has been typical in recent times.

These proposals are also quite diverse ranging across large scale urban rezonings, periodic reviews of provisions and site-specific requests.

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Table 1: Status of LEP amendment requests and planning proposals

Item	Name and Status	Summary and Notes	Completion Due
PP2024-2212	Aureus Village Rezoning (Stage 7)	<p>Proposal to rezone part of Aureus Village (neighbourhood centre site) at 21 Aureus Boulevard, Skennars Head (Lot 346 DP1271483) from E1 Local Centre to R3 Medium Density Residential.</p> <p>Council resolved to seek a Gateway determination on 12 December 2024, subject to completion of a draft planning agreement. The draft planning agreement was subsequently completed and was publicly exhibited with the planning proposal. Public exhibition closed on 19 September 2025.</p> <p>On 27 November 2025 Council resolved to finalise the planning proposal and execute the planning agreement.</p> <p>The planning agreement was executed on 18 December 2025, and the planning proposal was finalised on 13 March 2026.</p>	Complete
PP2024-2438	Relocation of commercial zone in CURA B precinct, Kinvara (Stage 3)	<p>A planning proposal was submitted on 6 November 2024 to amend the LEP to relocate the existing E1 Local Centre zone to a different location in the Cumbalum B Precinct at Kinvara.</p> <p>The new site is consistent with the Cumbalum B Precinct DCP Structure Plan adopted by Council in August 2024. A draft planning agreement was also proposed to ensure a minimum amount of retail floor space is delivered alongside housing to provide for early establishment of an economically viable centre that meets the local shopping needs of residents.</p> <p>At its Ordinary meeting on 26 March 2026 Council resolved to seek a Gateway determination, subject to completion of a draft planning agreement and the proponent's reconsideration of the terms of the agreement regarding inclusion of affordable housing.</p> <p>The proponents did not agree with the inclusion of affordable housing and the planning agreement has been drafted in accordance with the terms agreed by Council and the proponent as outlined in the report to Council.</p> <p>The planning proposal was referred to DPHI and a Gateway determination was issued on 28 May 2026. The proposal will be publicly exhibited along with the draft planning agreement. Following exhibition, the PP and agreement will be reported to Council.</p>	28 February 2027

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
PP2025-2378	Intrapac Sheather Land (Cumbalum Precinct A) (Stage 6)	<p>A planning proposal was submitted on 13 November 2024 to rezone land on the western edge of Banyan Hill Estate (Stage 17), Cumbalum Urban Release Area A, to enable residential subdivision.</p> <p>The proposal was to rezone approximately 9.7ha from RU1 Primary Production and RU2 Rural Landscape to R3 Medium Density Residential (R3) and amend the minimum lot size from 40ha to 450m². This was the third planning proposal for this site lodged since December 2022.</p> <p>A Councillor briefing was held on 4 March 2025 to discuss the planning proposal and a report on the proposal was presented to the 24 April 2025 Ordinary meeting of Council.</p> <p>Council resolved to support an amended planning proposal to rezone the land to zones R3 and R2 Low Density Residential, apply Minimum Lot Sizes of 450m² and 800m² and 1200m² and apply the C3 Environmental Management (C3) zone to the residue land. It was also resolved to seek a Gateway determination for the amended proposal, subject to the proponent's agreement, and publicly exhibit amendments to chapter 3 of the DCP concurrent with the planning proposal.</p> <p>The proponent agreed and a request for Gateway determination was submitted to DPHI. DPHI returned the proposal with a request that the proponent provide a traffic report and landowners' consent to the C3 zone. This information was provided and a Gateway determination issued on 19 December 2025.</p> <p>Following submission of information to satisfy the conditions of the Gateway determination, the proposal was publicly exhibited alongside the draft DCP from 7 April to 8 May 2026.</p> <p>A report on the outcomes of public exhibition will be presented at a future Council meeting.</p>	19 September 2026
PP2025-1660	General Amendments to the LEP (Stage 7)	<p>This is a Council initiated LEP amendment package that involves a review of various aspects of the LEP.</p> <p>A report on this package of amendments was presented at the August 2025 Ordinary meeting of Council. Council endorsed the planning proposal for the purpose of seeking a Gateway determination.</p> <p>The Gateway determination was issued on 19 September 2025. Public exhibition and agency referral occurred in October 2025.</p> <p>At the Ordinary meeting on 11 December 2025, Council resolved to finalise the LEP Amendment.</p> <p>The LEP Amendment was finalised on 8 May 2026.</p>	Complete

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
PP2025-359	305 The Coast Road, Skennars Head (Stage 2)	<p>A planning proposal was submitted on 26 February 2025 to rezone part of 305 The Coast Road, Skennars Head (Lot 7 DP 1225206) from Deferred Matter to C2 Environmental Conservation (C2), C3 Environmental Management and RU1 Primary Production, and to prevent development of a dwelling on the C2 zoned part of the site on the eastern side of The Coast Road. A draft planning agreement was also proposed.</p> <p>Council endorsed the planning proposal and terms of a draft planning agreement for the purpose of seeking a Gateway determination on 28 August 2025.</p> <p>The Gateway determination was received on 22 September 2025. Council does not have delegation to finalise the LEP amendment due to the inclusion of C zones.</p> <p>The draft planning agreement was prepared in consultation with the proponents and public exhibition of the planning proposal and agreement was completed on 27 March 2026.</p> <p>A report on the outcomes of public exhibition is included elsewhere in this business agenda.</p>	22 September 2026
PP2025-860	Scoping Proposal - Employment land - 2 and 14 Dulcet and part 13 Kays Lane, Alstonville (Stage 1)	<p>A scoping proposal was lodged on 27 May 2025 for preliminary consideration of rezoning land at 2 and 14 Dulcet Lane and part of 13 Kays Lane, Alstonville for employment / industrial purposes.</p> <p>The land adjoins the Russellton Industrial Estate on its eastern side and is currently zoned 7(i) Environmental Protection (Urban Buffer) Zone under the Ballina LEP1987.</p> <p>Staff and the proponents met in a pre-lodgment meeting and additional information was requested to support a planning proposal.</p> <p>Council endorsed inclusion of the subject land as a potential employment lands site in the draft Local Strategic Planning Statement (LSPS) at its 25 August 2025 Ordinary meeting. Following public exhibition of the draft LSPS, Council adopted the LSPS on 26 March 2026, including the subject land as future employment land.</p> <p>The proponent's response to Council's request for supporting information will be incorporated into a future planning proposal that seeks to rezone the land. The planning proposal will be reported to a future Council meeting.</p> <p>The scoping proposal phase for this matter is now complete. Further reporting will be provided to Council where a planning proposal or other new information is submitted to Council.</p>	Complete

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
PP2025-1092	Amend Minimum Lot Size 86 Foresters Way & 38 Old Tintenbar Road, Tintenbar (Stage 7)	<p>A planning proposal was submitted to amend the LEP minimum lot size for subdivision standard in relation to 86 Foresters Way and 38 Old Tintenbar Road, Tintenbar. The aim is to ensure that a future boundary adjustment subdivision will not result in the creation of additional dwelling opportunities.</p> <p>A report on the planning proposal was presented to the 25 September 2025 Ordinary meeting of Council. Council endorsed the planning proposal for the purpose of seeking a Gateway determination, with the determination received on 18 November 2025.</p> <p>The planning proposal was publicly exhibited in January-February 2026. The outcomes of public exhibition were reported to the 26 March 2026 meeting where Council adopted the LEP Amendment.</p> <p>The LEP Amendment is currently in the process of being finalised.</p>	18 August 2026
PP2025-1160	Rezoning CURA C - 961 and 1062 Tamarind Drive, Tintenbar (Stage 2)	<p>A planning proposal to rezone land at 961 and 1062 Tamarind Drive, Tintenbar (CURA C) was submitted on 20 June 2025.</p> <p>The planning proposal did not provide sufficient information to allow it to be assessed adequately and reported to Council. It was returned to the proponent on 19 August 2025 with a detailed request for additional technical information.</p> <p>The proponent submitted a request for a rezoning review with the DPHI in December 2025 on the basis that Council had <i>failed to indicate its support for the proposal within 90 or 115 calendar days following lodgement of the Planning Proposal</i>.</p> <p>The Northern Regional Planning Panel undertook the review and recommended the CURA C planning proposal (seeking to enable residential development) be submitted for Gateway determination, subject to a few requirements.</p> <p>The Panel also declined Council's request to be the Planning Proposal Authority (PPA) and instead appointed itself as the PPA for this planning proposal. Council has no formal role in the PP but will continue to engage with the proponent during the preparation of an Infrastructure Delivery Plan, a DCP, and a draft planning agreement to deliver affordable housing.</p>	NA

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
PP-2025-1217	Scoping Proposal - Additional Permitted Uses BLEP1987 - Newrybar Village East (Stage 1)	<p>A Scoping Proposal was submitted on 27 June 2025 to amend the LEP 1987 to permit additional uses in Newrybar Village across multiple properties (described as Newrybar Village East in the proposal). As the proposal was to amend the LEP 1987, Council staff sought advice from the DPHI. DPHI did not support the extent of the proposal to amend LEP 1987. Additionally, the Scoping Proposal was not consistent with Council's strategic planning intent for Newrybar or the North Coast Regional Plan.</p> <p>Following a pre-lodgement meeting between staff and the proponents, the Scoping Proposal was returned to the proponents on 18 September 2025 with advice that an amended proposal will be required to demonstrate consistency with the strategic planning framework for Newrybar set out in the draft LSPS.</p> <p>The LSPS was adopted by Council in March 2026 and clarifies Council and the community's vision for Newrybar village. It is not known when a planning proposal may be submitted.</p> <p>The scoping proposal phase for this matter is now complete. Further reporting will be provided to Council where a planning proposal or other new information is submitted to Council.</p>	Complete
PP2025-1218	Scoping Proposal - Additional Permitted Uses BLEP1987 - Newrybar Village West (Stage 1)	<p>This proposal is similar to the above Scoping Proposal but applies to Newrybar Village West with some variations in additional permitted uses. It was also returned to the proponent on 18 September 2025 for similar reasons to that stated in the Newrybar Village East Scoping Proposal above.</p> <p>The scoping proposal phase for this matter is now complete. Further reporting will be provided to Council where a planning proposal or other new information is submitted to Council.</p>	Complete
PP2025-1443	LEP Amendment Additional Permitted Uses - 66 Teven Road, Teven (Stage 2)	<p>A planning proposal was submitted on 30 July 2025 to amend the LEP 2012 to permit additional uses on land at 66 Teven Road, Teven.</p> <p>The planning proposal did not provide sufficient information to allow it to be assessed adequately. It was returned to the proponent on 7 August 2025 with a detailed response on the information required to enable Council to assess the proposal. The proponent was further advised that a new planning proposal would be required.</p> <p>No further action will be taken on this proposal. Reporting will be provided to Council where a planning proposal or other new information is submitted to Council.</p>	Complete

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
PP2025-1690	Detached dual occupancies in BLEP 1987 Zone 7(c) (Stage 7)	<p>This is a Council initiated amendment to the Ballina Local Environmental Plan 1987 to permit detached dual occupancies in Zone 7(c) Environmental Protection (Water Catchment).</p> <p>At its Ordinary meeting on 28 August 2025, Council endorsed the preparation of a planning proposal to amend the BLEP 1987 and seek a Gateway determination.</p> <p>The Gateway determination was received on 23 September 2025. Public exhibition of the proposal occurred in October 2025. At the Ordinary meeting on 11 December 2025, Council resolved to finalise the LEP Amendment.</p> <p>Finalisation through the DPHI is currently underway.</p>	23 June 2026
PP2025-1798	Deferred Matter & Conservation Zone Review – Teven Test Case & Others (Stage 7)	<p>This is a Council initiated LEP amendment. At its 28 August 2025 Council resolved to prepare a planning proposal and seek a Gateway determination to rezone several deferred matter / conservation zoned properties, some of which are described as the Teven Test Cases.</p> <p>The planning proposal was subsequently prepared and lodged on the NSW Planning Portal on 16 September 2025 with a request for a Gateway determination.</p> <p>A Gateway determination was received, and the planning proposal has been publicly exhibited. Council adopted the PP on 26 February 2026.</p> <p>The LEP amendment was finalised by the DPHI and notified on 22 May 2026.</p>	Complete
#	Scoping Proposal - employment zoned land – Kerr Street Ballina (Stage 1)	<p>A scoping proposal was submitted to Council for initial consideration of rezoning of the Amart furniture store site and several adjacent lots from R2 Low Density Residential to E3 Productivity Support zone.</p> <p>The draft Local Strategic Planning Statement (LSPS) included an action (4.1) to prepare and implement a precinct plan for land in proximity to Ballina Hospital, incorporating St Andrews Village, Ballina Central Shopping Centre, Biala Special School, Super Amart and the Cherry Street Sports Club. The precinct would be bounded by Burnett Street, Cherry Street, Bangalow Road, and Kerr Street.</p> <p>The LSPS was adopted by Council on 26 March, 2026. Preparation of the Precinct Plan has commenced, which will consider the appropriate zoning of the Amart site.</p> <p>The scoping proposal phase for this matter is now complete. Further reporting will be provided to Council where a planning proposal or other new information is submitted to Council.</p>	Complete

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Item	Name and Status	Summary and Notes	Completion Due
#	Scoping Proposal – Rezoning of 33 Canal Road, Ballina (Stage 1)	<p>A scoping proposal has been submitted to Council proposing rezoning of 33 Canal Road, Ballina from R2 Low Density Residential to R3 Medium Density Residential to enable higher density housing on the site.</p> <p>The site is owned by the Ballina RSL Club and remediation works are planned to address site contamination and allow future housing to be considered on the site. Council staff have reviewed the scoping proposal, met with the applicant and advised what information will be required in a planning proposal.</p> <p>The scoping proposal phase for this matter is now complete. Further reporting will be provided to Council where a planning proposal or other new information is submitted to Council.</p>	Complete
#	Scoping Proposal – 450 North Creek Road, Skennars Head (Stage 1)	<p>A scoping proposal has been submitted to Council on behalf of The Living School seeking in-principle support for preparation of a planning proposal to amend the Ballina LEP to include '<i>educational establishment</i>' as an additional permitted use on part of the site.</p> <p>A report on the proposal and the issues to be addressed in a planning proposal is included elsewhere in this business agenda.</p>	#
26/002	Council Land Deferred Matter Transition Planning Proposal (Stage 2)	<p>This is a Council initiated planning proposal to transition Council-owned Deferred Matter properties into the Ballina LEP 2012. These are Council owned properties that were excluded from LEP Amendment 55.</p> <p>A report on the planning proposal is included elsewhere in this business agenda.</p>	#

LEP Amendment Request/Planning Proposal Processing Stages

1. Initial Concept - Proponent submits initial amendment concept for review and reporting to the Council.
2. Planning Proposal - Preparation of a planning proposal for the Council's consideration (if the initial concept is supported by the Council).
3. Gateway Determination - DPHI determination as to whether the planning proposal may proceed (if the Council resolves to submit the planning proposal for determination).
4. Study Preparation - Relevant technical information to enable complete assessment compiled and considered. This step may also involve pre-exhibition public authority consultation.
5. Community Consultation - Planning proposal and associated technical assessment material exhibited for public comment.
- 5a. Public Hearing - Public Hearing held, where required.
6. Submissions Assessment and Council Decision - Reporting of community consultation outcomes and Council decision regarding finalisation of the planning proposal.
7. Finalisation - DPHI finalisation (or Council finalisation under delegation) of the LEP amendment based on the planning proposal. Note: the Minister for Planning may finalise, alter or terminate the amendment.

Denotes proposal number and due date subject to Gateway determination.

The completion due date is a date determined by the Department of Planning, Housing and Infrastructure.

8.4 Local Environmental Plan Amendments and Planning Proposals - Status

Delivery Program Strategy / Operational Plan Activity

Processing of LEP amendment requests and planning proposals is consistent with Strategy HE3.1 in Council's Delivery Program and Operational Plan as follows:

- Strategy HE3.1 – Develop and implement plans that balance the built environment with the natural environment.

Community Engagement Strategy

Community engagement in accordance with Council's Community Engagement Strategy and Gateway determinations issued by the DPHI has been, or will be, undertaken in relation to individual planning proposals.

Financial / Risk Considerations

The work program associated with LEP amendment requests and planning proposals is undertaken within existing resources.

Fees are applied to external requests for amendments to the LEP and processing of subsequent planning proposals in accordance with Council's fees and charges.

Options

The status of LEP amendments and planning proposals is provided for information.

RECOMMENDATION

That Council notes the contents of this report on the status of Local Environmental Plan Amendments and Planning Proposals.

Attachment(s)

Nil

8.5 Policy (Review) - Conflicts of Interest for Council Related Applications

8.5 Policy (Review) - Conflicts of Interest for Council Related Applications

Section Development Services

Objective To review the Conflicts of Interest For Council-Related Development Applications 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 Conflicts of Interest for Council-Related Development Applications Policy.

Council first adopted this policy in February 2023. The policy is in response to legislative requirements to identify and manage potential conflicts of interest for Council related development applications.

In some circumstances, Council will be the applicant/developer, landowner or have a commercial interest in the land the subject of the development application, where it will also be the consent authority or regulator.

Where councils have this dual role, an inherent conflict can arise between these interests in the development and duty as a consent authority or regulator.

The policy aims to manage potential conflicts of interest for Council related development applications and increase transparency at all stages of the development process.

Key Issues

- Ensure the policy meets the requirements of current legislation.
- Establish a reasonable balance in managing the conflict between transparency and operational efficiency and meeting assessment timeframe expectations.

Discussion

This review of this policy identified only minor changes as follows:

- Correct the definition of Council related development application (Part 2.1) to align with the definition in the Act.
- Include two additional types of basic development where management controls are unnecessary, conscious of meeting assessment timeframe expectations (Part 2.3.2).

Otherwise, the policy is still considered to be contemporary and reflects current legislation. No further changes are recommended.

A copy of the amended policy is attached to the report. Changes have been marked in yellow.

8.5 Policy (Review) - Conflicts of Interest for Council Related Applications

Delivery Program Strategy / Operational Plan Activity

The policy aligns with Delivery Program Strategy

LP3.3b – Efficiently process and determine development applications.

Community Engagement Strategy

As the changes are minor it is recommended that Council adopt the policy as presented, however the document will also be exhibited for public comment.

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

Financial / Risk Considerations

The key risk for Council is to ensure that its legislative obligations relating to managing conflict of interest for Council related development applications are met with appropriate levels of transparency to maintain public confidence.

Options

Council may accept or amend the proposed changes to the policy. The changes included are minor and it is recommended that the policy be adopted as presented.

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

RECOMMENDATIONS

1. That Council adopts the amended Conflicts of Interest For Council-Related Development Applications 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) - Conflicts of Interest for Council Related Development Applications [⇨](#)

9.1 Use of Council Seal

9. Corporate and Community Division Reports

9.1 Use of Council Seal

RECOMMENDATIONS

That Council affix the Common Seal to the following documents.

US2026/14	<p>Commercial Lease - Council Lease to J. McGrath for Shop 4 Wigmore Arcade, River Street Ballina. The lease is for a period of 3 plus 2 years at market rent.</p> <p>Explanation J. McGrath has occupied Shop 4 Wigmore Arcade t/a DJA Aesthetics for five years and has been a good tenant.</p>
US2026/15	<p>Commercial Lease - Council Lease to N. Fury for Shop 151 River Street Ballina. The lease is for a period of 5 plus 5 years at market rent.</p> <p>Explanation N. Fury has occupied Shop 151 River Street, Ballina t/a Lingerie No. 5 for ten years and has been a good tenant.</p>
US2026/16	<p>Commercial Licence - Council Licence to Optus Mobile Pty Ltd for Part Lot 1 DP 632176, Suvla Street East Ballina for a 4 x 5 year period at market rent with a fixed annual percent increase.</p> <p>Explanation Optus Mobile Pty Ltd have been in occupation for over 20 years. This is a new licence for their current occupation. Commercial terms have been included in a confidential report in this agenda.</p>
US2026/17	<p>Commercial Licence - Council Licence to Optus Mobile Pty Ltd for Part Lot 2 DP 517111, North Creek Road, Lennox Head for a 4 x 5 year period at market rent with a fixed annual percent increase.</p> <p>Explanation Optus Mobile Pty Ltd have been in occupation for over 20 years. This is a new licence for their current occupation. Commercial terms have been included in a confidential report in this agenda.</p>
US2026/18	<p>Statutory Minimum Rent Licence - That Council in its own capacity and as Crown Land Manager of Reserve 1010068, and in accordance with the relevant provisions of the Local Government Act 1993 and the Crown Land Management Act 2016, enters into a one year licence agreement with <i>Northern Rivers Hang Gliding and Paragliding Club Incorporated</i> at a licence fee equal to the statutory minimum rent charged by Crown Lands (currently \$625 per annum plus GST) over part</p>

9.1 Use of Council Seal

	<p>of Crown Reserve 1010068 at Pat Morton Lookout Lennox Head and part of Council land at Pat Morton Lookout Lennox Head and Headlands Drive, Skennars Head being:</p> <ul style="list-style-type: none">• Part of Lot 7035 DP 1063864 (Crown Land Reserve 1010068 at Pat Morton Lookout, Lennox Head)• Part of Lot 1 DP 1228200 (Crown Land Reserve 1010068 at Pat Morton Lookout, Lennox Head)• Part of Lot 3 DP 573196 (Council Land at Pat Morton Lookout, Lennox Head), and• Part of Lot 43 DP 805356 (Council Land at Headlands Drive, Skennars Head). <p>Explanation This licence is for the recreational sport activity of hang gliding and paragliding at the listed locations including access through a reserve.</p>
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Attachment(s)

Nil

9.2 Investment Summary - May 2026

9.2 Investment Summary - May 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 May 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 May 2026 was \$112.6m compared to a balance as at 30 April 2026 of \$109.6m.

Council's investments, as at 31 May 2026, were invested at a weighted average interest rate of 4.477%, which was 0.614% higher than the weighted average 90 Day Bank Bill Index (BBSW) to 31 May 2026 of 3.863%.

The balance of Council's Commonwealth Bank business account, as at 31 May 2026 was \$34,776,552, compared to a balance of \$27,400,257 as at 30 April 2026. An increased balance is held in the business account to ensure funds are available for major project progress claims as they come due. The balance is also inflated at the end of May to cover loan repayments due in early June, which includes the repayment of a \$7m loan that has been held for the land development projects.

9.2 Investment Summary - May 2026

Total combined cash and investments, as at 31 May 2026 was \$147,376,552 compared to a balance of \$137,000,257 as at 30 April 2026. The net increase in cash and investments from April to May was \$10,376,295.

During the month there were grant funds received for the Evacuation Route Raising Project and the final Financial Assistance Grant instalment along with the rates instalment due at the end of May. These funds were partly offset by regular creditor payments.

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

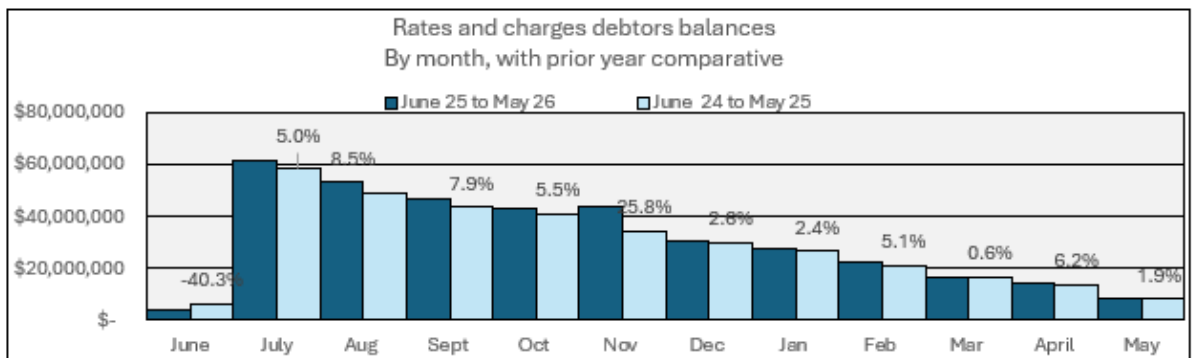
Restricted Reserves

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 May 2026, the balance was 1.9% higher than 31 May 2025.



9.2 Investment Summary - May 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	30 April \$'000	31 May \$'000	Quota %	% of Total
AMP Bank	Yes	BBB+	1,000	1,000	20%	0.89%
Bank Australia Ltd (was Australian Unity Bank)	Yes	BBB+	12,000	12,000	20%	10.66%
Bank of Queensland	Yes	A-	10,000	10,000	20%	8.88%
BankVic	n/a	BBB+	5,000	5,000	20%	4.44%
Bendigo & Adelaide Bank	Yes	BBB+	1,000	1,000	20%	0.89%
Commonwealth Bank	No	AA-	1,000	1,000	20%	0.89%
Great Southern Bank	Yes	BBB+	8,000	8,000	20%	7.10%
Heartlands Bank Australia	n/a	BBB	8,000	8,000	20%	7.10%
Judo Bank	Yes	BBB	8,000	12,000	20%	10.66%
Macquarie Bank	No	A+	1,600	1,600	20%	1.42%
MyState Bank Ltd	Yes	BBB+	10,000	10,000	20%	8.88%
National Australia Bank	No	AA-	6,000	6,000	20%	5.33%
Rabobank Australia Ltd	No	A	16,000	16,000	20%	14.21%
Suncorp Limited	No	A+	4,000	3,000	20%	2.67%
Unity Bank Ltd	Yes	BBB+	4,000	4,000	20%	3.55%
Westpac Bank Corp	No*	AA-	14,000	14,000	20%	12.43%
Total			109,600	112,600		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 30 April \$'000	Value 31 May \$'000	%	%
	%	Value \$'000				
A- or Higher	100%	112,600	53,600	52,600	48.9%	46.7%
BBB	60%	67,560	56,000	60,000	51.1%	53.3%
Total			109,600	112,600	100.0%	100.0%

Liquidity Risk Parameters as per the Investment Policy	Maximum Allowed		Value 30 April \$'000	Value 31 May \$'000	%	%
	%	Value \$'000				
Term equal to 1 year or less	100%	112,600	91,000	94,000	83.0%	83.4%
Term > 1 year and < 3 years	40%	45,040	6,600	6,600	6.0%	5.9%
Term > 3 years	20%	22,520	12,000	12,000	11.0%	10.7%
Total			109,600	112,600	100.0%	100.0%

Fossil Fuel Free and Green Investments

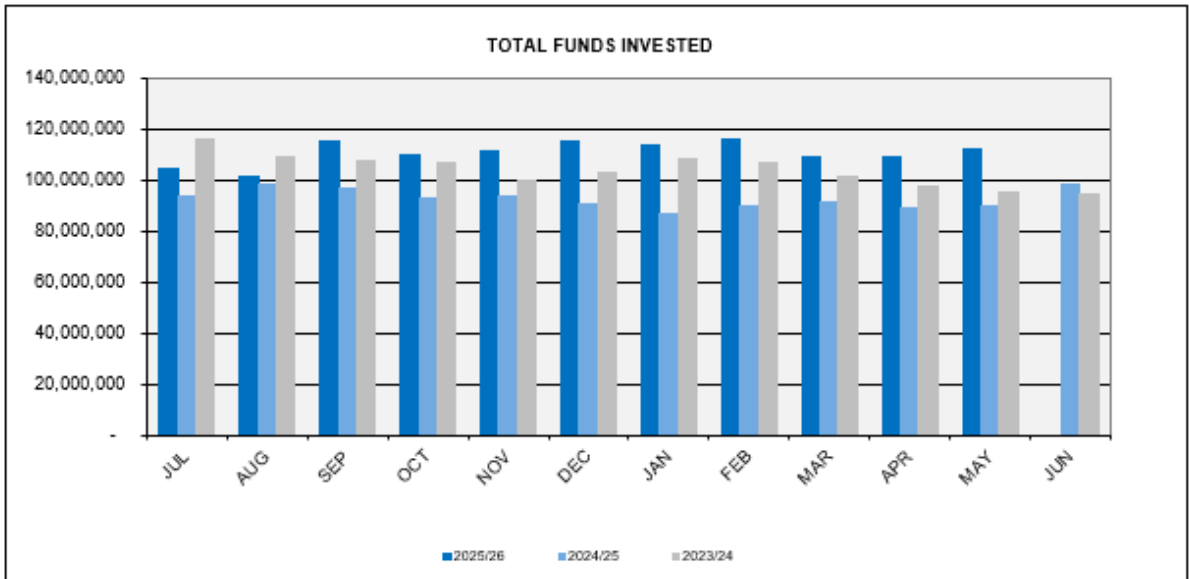
Environmental Classification	30 April		31 May	
	(\$'000)	(%)	(\$'000)	(%)
Fossil Fuel Aligned Investments	30,600	27.9	29,600	26.3
Non-Fossil Fuel and Green Aligned Investments	66,000	60.2	70,000	62.2
Not Classified	13,000	11.9	13,000	11.5
Total	109,600	100.0	112,600	100.0

In May 2026, seven investments matured totalling \$11m. One of these investments was held with non-fossil fuel aligned institutions totalling \$1m and one was a green investment of \$2m. Seven new investments, totalling \$14m,

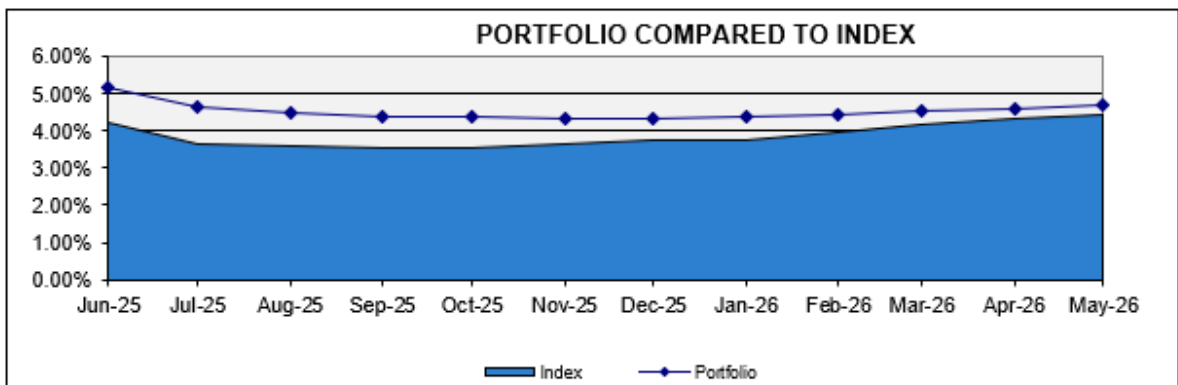
9.2 Investment Summary - May 2026

were placed. Two of these investments were with non-fossil fuel aligned institutions totalling \$5m and one was a green investment of \$2m.

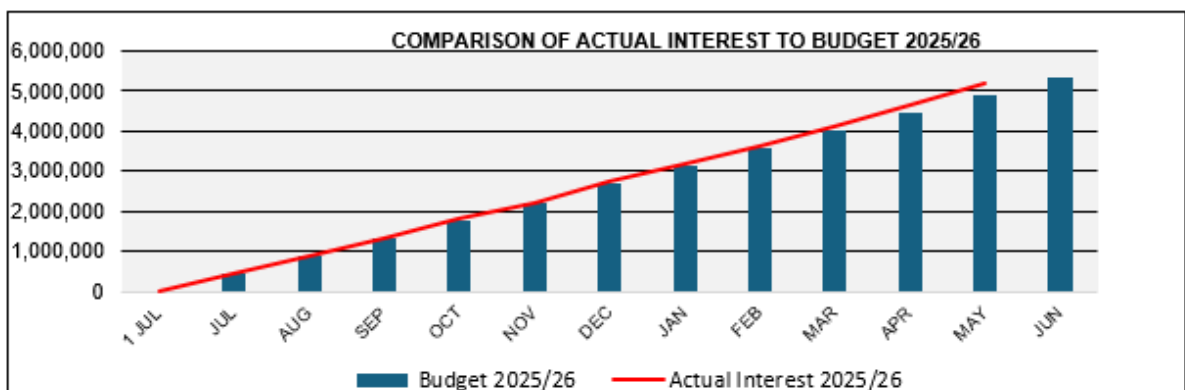
B. Monthly Comparison of Total Funds Invested



C. Comparison of Portfolio Investment Rate to 90 Day BBSW



D. Progressive Total of Interest Earned to Budget



9.2 Investment Summary - May 2026

E. Investments held as of 30 April 2026 and 31 May 2026

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	30 April \$'000	31 May \$'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
03/06/25	Australian Unity Bank Ltd	TD	4.35%	03/06/26	2,000	2,000
24/07/25	Westpac Banking Corp - Green	TD	4.19%	23/07/26	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
02/09/25	National Australia Bank	TD	4.15%	01/06/26	2,000	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	-
23/09/25	National Australia Bank	TD	4.20%	21/05/26	2,000	-
25/09/25	Rabobank Australia Ltd.	TD	4.64%	24/09/30	4,000	4,000
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	-
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	-
07/10/25	BankVic	TD	4.25%	04/08/26	2,000	2,000
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	-
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
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

9.2 Investment Summary - May 2026

PURCH DATE	ISSUER	TYPE	RATE	FINAL MATURITY DATE	30 April \$'000	31 May \$'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	2,000
12/05/07	Bank of Queensland	TD	5.15%	22/09/26	2,000	2,000
24/04/07	Rabobank Australia Ltd.	TD	5.46%	30/03/27	2,000	2,000
02/04/26	Bank Australia Ltd	TD	5.60%	02/04/27	2,000	2,000
13/04/26	Bank of Queensland	TD	5.35%	13/04/27	1,000	1,000
21/04/26	Westpac Banking Corp - Green	TD	5.31%	21/04/27	2,000	2,000
12/05/26	Bank Australia Ltd	TD	5.55%	11/05/27	-	1,000
12/05/26	National Australia Bank	TD	5.40%	12/05/27	-	2,000
21/05/26	Judo bank Pty Ltd	TD	5.00%	25/08/26	-	4,000
21/05/26	National Australia Bank	TD	5.40%	21/05/27	-	2,000
25/05/26	Westpac Banking Corp - Green	TD	5.36%	25/05/27	-	2,000
	Total				109,600	112,600
	TD=Term Deposit; FRN=Floating Rate Note					

RECOMMENDATION

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

Attachment(s)

Nil

9.3 Policy (Review) - Social Media

9.3 Policy (Review) - Social Media

Section	Communications
Objective	To review the Social Media 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 Social Media Policy.

Council first adopted this policy in March 2012 with the latest review occurring in August 2022 following the release of the Office of Local Government (OLG) Model Social Media Policy.

Key Issues

- Whether the policy continues to meet the operational requirements of Council and reflects current legislation and best practice.

Discussion

The Social Media Policy was comprehensively reviewed in 2022 against the Office of Local Government (OLG) Model Social Media Policy and has since provided an effective governance framework for Council.

The review confirmed that the policy remains fit for purpose, requiring only minor amendments to reflect contemporary communication practices, technological developments and Council's operational experience since its adoption. The proposed amendments include:

- removing specific references to Council's social media channels to provide greater flexibility as platforms evolve over time
- strengthening cyber security for authorised users
- introducing guidance regarding AI-generated content, recognising that AI tools may assist with content creation while ensuring Council remains responsible for the accuracy and integrity of information published
- clarifying that sharing, reposting or otherwise amplifying content may be perceived as an endorsement
- strengthening the use of social media during emergencies by recognising that normal engagement practices may be suspended to prioritise official emergency information
- introducing an accessibility provision to support Council's commitment to preparing social media content in accessible formats, where reasonably practicable, including captions, alternative text and plain language, to support the objectives of its Disability Inclusion Action Plan (DIAP)
- strengthening guidance relating to the private use of social media by Council officials to reflect contemporary risk management practices
- correcting minor formatting, drafting and typographical issues, including updating terminology, definitions and related documents.

9.3 Policy (Review) - Social Media

The proposed amendments will ensure the policy continues to provide an appropriate framework for the management of Council's social media activities while reflecting contemporary communication practices, technological developments and current legislative requirements.

A copy of the amended policy is attached to this report. Changes have been marked in yellow and deletions in red.

Delivery Program Strategy / Operational Plan Activity

The policy aligns with Delivery Program Strategy:

EL3.3 – Deliver responsive and efficient services for and with our community.

Community Engagement Strategy

As the changes are minor it is recommended that Council adopt the policy as presented, however the document will also be exhibited for public comment.

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

Financial / Risk Considerations

The proposed amendments have no direct financial implications, however social media presents reputational, legal and information management risks.

The policy provides an appropriate governance framework to manage these risks by establishing clear standards for administration, moderation, record keeping and acceptable conduct.

Options

Council may accept or amend the proposed changes to the policy. The changes included are largely administrative and it is recommended that the policy be adopted as presented.

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

RECOMMENDATIONS

1. That Council adopts the amended Social Media 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) - Social Media [⇨](#)

9.4 Tender - Sewer Pump Station Switchboard Renewals

9.4 Tender - Sewer Pump Station Switchboard Renewals

Section Project Management Office

Objective To report the outcomes of the tender evaluation for the Tender - Sewer Pump Station Switchboard Renewals

Background

This tender seeks to establish a panel of contractors who are recognised as having the capability as Principal Contractor to construct and manage switchboard and associated minor renewals at sewer pump station sites throughout the shire for a four-year period.

Tenders were called on 14 May 2026 and at the close of tenders on 4 June 2026, nine tender submissions were 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

Seventy-three companies accessed the documentation with tenders received from:

- Binney Electrical Pty Ltd
- CMP Corp Pty Ltd
- CNC Maintenance
- LK Power Pty Ltd
- PTD Group Pty Ltd
- Raw Electrical Services Pty Ltd
- Steady State Pty Ltd
- TEW Solutions
- The Trustee for The J & J Thearle Family Trust

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

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

- Capability 45%
- Experience 40%
- Social and community 15%

9.4 Tender - Sewer Pump Station Switchboard Renewals

Six tenderers have been assessed as the preferred tenderers 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

Sewer pump station switchboard renewals are identified in Council's capital and operational works program in the Delivery Program and Operational Plan.

Community Engagement Strategy

Council has undertaken a public tender process in accordance with the Local Government (General) 2021.

Financial / Risk Considerations

Engagement of contractors to undertake renewals at sewer pump station sites will be based on invited requests for quotes where responses will be assessed against the feasibility of works programs and quoted prices.

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 it 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 tenders from the companies assessed as part of the evaluation process as providing value for money to meet our operational requirements.

RECOMMENDATIONS

1. That Council in accordance with the *Local Government (General) Regulation 2021 Section 178(1)(a)*, accepts the tenders, and lists
 - Binney Electrical
 - CMP Corp Pty Ltd
 - CNC Maintenance
 - Steady State Pty Ltd
 - TEW Solutions
 - The Trustee for The J & J Thearle Family Trust

as recognised contractors for a four-year period as part of the Tender - Sewer Pump Station Switchboard Renewals .

Attachment(s)

1. Confidential Memorandum - Tender Report - Sewer Pump Station Switchboard Renewals Program (Confidential)

9.5 Land Acquisition - North Creek Road Widening

9.5 Land Acquisition - North Creek Road Widening

Section Commercial Services

Objective To seek Council's agreement for the partial acquisition of 11 North Creek Road Ballina for widening purposes.

Background

Council's Ballina Shire Roads Contribution Plan works program includes the four laning of North Creek Road between Tamarind Drive and Southern Cross Drive. The delivery of this project was planned as part of the Ballina bridge duplications, however due to budgetary constraints, in September 2025, Council removed this item from the bridge duplications project tender.

The project remains as a high priority and is included in the draft Long Term Financial Plan (LTFP) (2026/27 to 2035/36), based on a construction estimate of \$4m, with \$2m allocated equally in 2027/28 and 2028/29.

The \$4m figure is based on the figures submitted for the bridge duplications tender, with Council resolving to remove this work from the accepted tender, due to concerns over funding and the significant increase in the estimated cost for the bridge duplications.

The project is 100% funded by Developer Contributions in the Roads Contributions Plan and delivery will depend on future collections of developer contributions, as well as the final cost for the bridge duplications.

Ideally this project will proceed as soon as possible after the Canal Bridge duplication and Tamarind Drive four laning work is completed, to avoid queuing from traffic turning into North Creek Road from Tamarind Drive.

For the widening to proceed, Council needs to acquire a strip of land located at 11 North Creek Road, Ballina. Negotiations have concluded in terms of compensation to acquire this land. The terms and conditions for the acquisition are contained in the confidential report later in this agenda.

Key Issues

- Acquisition of land for a public purpose
- NSW Land Acquisition (Just Terms Compensation) Act

Discussion

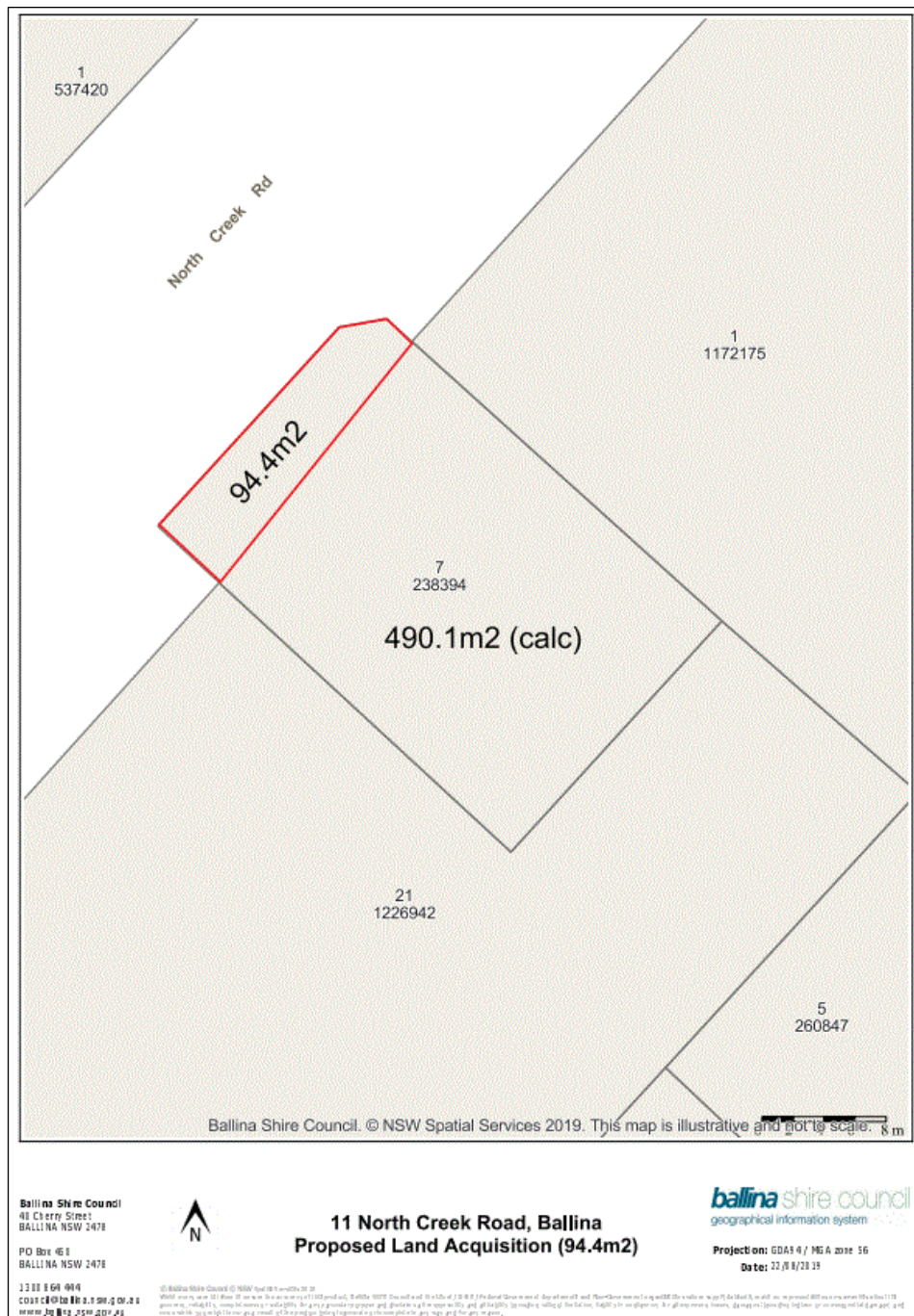
The widening of North Creek Road, between Tamarind Drive and Southern Cross Drive requires a 94.4m² strip of land, from the front of 11 North Creek Road, Ballina being Lot 7 in DP 238394, as illustrated in Figure1.

Erected upon the site is a free standing cottage of brick and tile construction comprising two bedrooms, kitchen, bathroom, living areas and a single car garage. The cottage was built in the early 1970s.

9.5 Land Acquisition - North Creek Road Widening

Once the 94.4m² is taken the residue of the site will have an area of 490.1m².

Figure 1 – Land Acquisition Plan



Delivery Program Strategy / Operational Plan Activity

This project is consistent with Delivery Program Strategy *LP1.2: Facilitate connectivity and provide affordable infrastructure to meet growing demands.*

Community Engagement Strategy

The land acquisition negotiations have been conducted confidentially.

9.5 Land Acquisition - North Creek Road Widening

Financial / Risk Considerations

Council can fund the land acquisition from Roads Contribution Plan collections, although the contributions are largely allocated to the bridge duplication projects. The status of the contributions held, for recent and future financial years, is as per the following table.

Table 1 - Roads Contribution Plan - Contributions Movements and Forecasts (\$'000)

Item	2023/24 Actual	2024/25 Actual	2025/26 Estimate	2026/27 Estimate	2027/28 Estimate	2028/29 Estimate
Opening Balance	10,617	12,229	15,163	13,516	2,271	1,384
Income Collected	2,064	2,394	1,750	2,500	2,600	2,800
Interest Earned	608	732	643	338	57	35
Expenditure	1,060	192	4,040	14,083	3,547	3,547
Closing Balance	12,229	15,163	13,516	2,271	1,381	669

In respect to the income collected figures, the 2025/26 year to date figure is \$1.134m, which is approximately \$616,000 short of the \$1.75m estimate.

The difficulty with forecasting contributions income is that the collection is very uneven and can rapidly increase when a major subdivision is approved and ready for release.

To highlight this variability, in 2021/22 and 2022/23, the road contributions collected were \$4.6m and \$3.8m respectively.

In respect to the forecast expenditure figures in Table 1, the following table provides an overview of the projects funded from roads contributions.

Table 2 - Roads Contribution Plan – Expenditure Dissection Movements and Forecasts (\$'000)

Item	2023/24 Actual	2024/25 Actual	2025/26 Estimate	2026/27 Estimate	2027/28 Estimate	2028/29 Estimate
Expenditure	1,060	192	4,040	14,083	3,547	3,547
Dissected as follows						
Hutley Drive Consent	50	43	10	0	0	0
River Street Four Laning - Burns Point Rd to Barlows Road	86	0	0	0	0	0
River Street Four Laning – Brunswick Street to Tweed Street	439	0	0	0	0	0
North Ck Bridge Reinstatement	439	74	20	0	0	0
North Ck Rd Four Laning – Tamarind to Southern Cross Dve	0	62	10	0	2,000	2,000
Barlows Road Connection	46	13	0	0	0	0
Fishery Creek Bridge Duplication	0	0	0	9,541	0	0
Canal Bridge Duplication	0	0	4,000	4,542	0	0
Bridge Duplication Loan Repayments	0	0	0	0	1,547	1,547
Total	1,060	192	4,040	14,083	3,547	3,547

9.5 Land Acquisition - North Creek Road Widening

The expenditure figures only represent the Roads Contributions component of the funding for the projects listed.

For example, the bridge duplication projects are currently funded as follows in the LTFFP.

Table 3 - Bridge Duplication – Funding Sources (\$)

Funding Source	2025/26 Estimate	2026/27 Estimate	Totals
Roads Developer Contributions	4,000,000	14,083,000	18,083,000
Northern Rivers Resilience and Recovery Grant	18,000,000	24,917,000	42,917,000
Loan Funding	0	18,000,000	18,000,000
Totals	22,000,000	57,000,000	79,000,000

The total value of the Northern Rivers Resilience and Recovery grant is \$47.4m with \$4.453m of the grant funds expended in 2023/24 and 2024/25.

In addition to the figures in Table 3, another \$780,000 in grant funds is allocated in 2025/26, being \$750,000 to build the Airport Access Road to dispose of material relating to the bridge duplications and \$30,000 to finalise the Evacuation Route preliminary works for River Street that formed part of the original scope of works for the grant, but was also deleted due to budget constraints.

The loan funding of \$18m in Table 3 is a balancing item, and the final borrowing will depend on the actual construction costs and the amount of Road Developer Contributions collected and held by Council.

Another factor in respect to these figures is that the Roads Contribution Plan is currently under review.

If Council applies to the Independent Pricing and Regulatory Tribunal (IPART) for an increase in the developer contributions cap, the amount of roads contributions collected in future years, may significantly increase.

Importantly the loan funding for the bridge duplications will need to be included in the updated Road Contributions Plan to allow the loan repayments to be repaid by future developer contribution collections.

There are significant risks in this funding model, relating to potential variances to the bridge duplication construction contract and the contributions collected.

Options

This report is for noting to ensure that there is a public report providing an overview of the proposed land acquisition.

The confidential report later in this agenda outlines the commercial negotiations and seeks Council direction in respect of the proposed acquisition.

RECOMMENDATIONS

1. That Council notes the contents of this report in respect to the proposed land acquisition for North Creek Road to allow the widening of the road between Tamarind Drive and Southern Cross Drive, Ballina.
2. That Council notes the actual and forecast cash flows for the Roads Developer Contributions as per Tables 1 and 2 of this report.

Attachment(s)

Nil

9.6 Delivery Program and Operational Plan - Adoption

9.6 Delivery Program and Operational Plan - Adoption

Section Governance

Objective To review all the submissions to the draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan and adopt the documents for implementation in 2026/27.

Background

The NSW Office of Local Government's Integrated Planning and Reporting (IP&R) Framework requires all councils to adopt several documents prior to 30 June each year, to confirm the outcomes sought for the community, as well as the rates and charges payable for the next year.

Council's draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan (including supporting documents; Fees and Charges, Long Term Financial Plan (LTFP), Budget, Strategic Asset Management Plan and Workforce Management Strategy) were placed on exhibition, for public comment, following the 23 April 2026 Ordinary meeting.

The objective of this report is to review the submissions and adopt the 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan (DPOP).

As the exhibited documents are extensive, they have not been reproduced for this report. Copies of the documents, as exhibited, have been loaded to the Councillor hub under the title of Integrated Planning and Reporting. Hard copies are available from Council.

Key Issues

- Contents of submissions
- Balancing demand for services against available resources

Discussion

This report has two main sections:

- A. Submissions Review – This provides feedback on the submissions received with associated recommendations.
- B. Updates based on Contemporary Information – With the documents approved for exhibition in April, there are items where additional or amended information is now available.

A. Submissions Review

The submissions can be categorised under two main headings:

1. Submissions for funding assistance in response to the Donations – Financial Assistance for Community Groups policy funding and
2. Submissions for works, services and other actions

1. Submissions for Funding Assistance

The draft LTFP includes the following allocations for funding assistance / donations for 2026/27.

Funding Description	Budget (\$)
Donations – Financial Assistance for Community Groups	84,000
Donations – Sporting Groups Capital Works Assistance	35,000
Donations – Council Rates and Charges	42,000
Donations - Assistance with Council Fees - Community Groups	4,000
Richmond Room – Chair Set Up (RSL Lighthouse Day Club)	8,000
Total	173,000

The funding listed, excluding the Richmond Room – Chair Set Up, are supported by Council policies. The Richmond Room is a standing resolution, where Council has approved a donation to the Ballina Rotary Club, to help set up the chairs in the Richmond Room, once every week, for the Ballina RSL Lighthouse Day Care Club.

Council is invoiced by the Rotary Club for this service, based on an agreed annual figure, which remains largely the same, year to year. The service is provided on a voluntary basis, with Council contributing a donation to the Rotary Club for their efforts.

The submissions listed in Table 1 of report relate to the Donations – Community Groups budget, with Council calling for annual applications, as per the policy.

In respect to the Donations - Sporting Groups Capital Works Assistance budget, while historically considered alongside the community donations, it has not been included in the scope of this report. Council's Open Spaces Section is currently reviewing that policy, as there have been difficulties in completing the works program and ensuring compliance with all the relevant approvals and planning processes.

At this point, not all sporting groups have been written to seeking submissions in respect to the 2026/27 funding, as normally occurs, albeit that a few of the draft Delivery Program submissions are from sports clubs.

The review of the Capital Works Assistance policy should be reported to Council in the next few months, and a key consideration in that review will be the magnitude of requests from sports clubs in respect to improvements.

As previously reported to the 26 June 2025 Ordinary meeting, as part of the adoption of the 2025/26 to 2028/29 Delivery Program, the list of works requested from sports clubs is over \$60m in value, and improved guidance is needed on the level of service and facilities that Council wishes to provide to sports clubs.

In respect to the Donations – Financial Assistance for Community Groups budget, the policy states that Council will form a working party, consisting of Councillors, to provide recommendations on the allocation of funds to the July Ordinary meeting. This process is once again allowed, following the re-adoption of the previous Code of Meeting Practice at the May 2026 Ordinary meeting.

9.6 Delivery Program and Operational Plan - Adoption

Council could also hold a Finance and Facilities Committee meeting to review the submissions, to improve the public transparency of this process, if that was the preferred approach.

The recommendations to this report, include the formation of the working party, which is consistent with the Council policy.

Details of the applications are summarised in the following table, with applicants required to complete an application form and confirm they meet the eligibility criteria.

Table 1 - Submissions for Community Donations

Ref	Organisation name	Project	Request \$
1	Our Kids	Assist with cost of hosting the Kids Day Out community event	1,000
2	Ballina Bosom Buddies Breast Cancer Support Group	Support Kentwell Centre hire fees for Breast Cancer Support	660
3	Sewing Group	Support Northlakes Centre hire fees for sewing skills development assisting social connection	1,045
4	Dementia Inclusive Ballina Alliance	Assist with the costs of hosting the Dementia Inclusive Ballina Alliance Annual Symposium	5,000
5	Ballina and District Ministers' Association Inc	Assist with the costs of hosting the annual Ballina Riverside Carols community event	12,000
6	Lennox Head Play Group	Support LHCC hire fees for a community play group	2,294
7	Richmond Tweed Family History Society Inc	Support the annual lease fee on the Marie Hart Library	700
8	Lennox Head Evening VIEW Club	Assist with the purchase of audio equipment required for fundraising planning meetings	1,000
9	Lennox Community Gardens	Purchase gardening tools for the community garden	670
10	Scope Club of Ballina Inc	Purchase materials for the annual gift wrapping fundraising service	2,000
11	Ballina Mahjong Club	Assist with the cost of hosting a Mahjong competition	700
12	Ballina Lighthouse RSL Day Club	Assist with Richmond Room hire fees for weekly meetings	5,000
13	Patch's Beach Dunecare	Assist with eradicating weeds from Patch's Beach dunes	2,000
14	Ballina General Cancer Support Group	Support BISC Meeting Room hire fee for General Cancer Support meetings	720
15	Rotary Club of Ballina-on-Richmond	Assist with the Domestic Violence awareness raising campaign costs and hire of the BISC	2,500
16	Ballina Hot Meal Centre	Purchase ingredients for a community hot meal service	1,000

9.6 Delivery Program and Operational Plan - Adoption

Ref	Organisation name	Project	Request \$
17	Lennox Head Community Preschool Inc	Assist with the cost of hosting a fundraising event	2,302
18	Lions Club of Ballina Inc	Support Richmond Room hire fees for monthly Board meetings	2,145
19	Ballina Coastal Quilters	Support Northlakes venue hire fees for weekly activities	1,000
20	Ballina Shire Concert Band	Cost of upgrading the rehearsal space, purchase equipment and cover operational costs	5,000
21	Lions Club of Lennox Head	Support club operating costs	5,000
22	Rous Mill and District Memorial Hall	Support Hall garden maintenance and annual insurance costs	5,000
23	Pearces Creek Hall	Cover annual insurance costs	4,800
24	Ballina Community Gardens	Purchase gardening equipment	5,000
25	Rural Doctors Network	Cover the costs of medical students participating in the regional placement program	4,620
26	Plateau Quilters Inc	Operating costs for weekly social connection meetings	800
27	Volunteer Marine Rescue NSW	Cover jet boat maintenance and insurance costs	9,000
28	Riding for the Disabled Ballina District Inc	Support volunteer training and purchase of safety equipment	3,080
29	Lennox Head Residents' Association Inc	Support Lennox Head CWA Hall hire fees for monthly meetings	778
30	Richmond River Scottish Society/Ballina Pipe Band	Support the costs of repairing musical equipment	1,000
31	Lennox Lightning Toastmasters Club	Support LHCC CWA Hall hire fees and operating costs for fortnightly meetings	1,000
32	Rous Public School P&C Committee	Assist with the cost of hosting a fundraising event	4,835
33	Wollongbar Community Action Network	Support costs associated with further developing a community garden for social connection	5,000
34	Ballina & District Historical Society	Support Museum lease fees and operating costs	1,000
35	Alstonville High School P&C Ass on behalf of Alstonville Wollongbar Fun Run	Assist with the cost of hosting a fundraising event	1,980
36	Newrybar Community Hall Inc	Support insurance costs	1,255
37	Northern Rivers Pickleball Club	Costs associated with volunteer CPR and First Aid Training	900
Total			103,784

9.6 Delivery Program and Operational Plan - Adoption

All the donations listed are eligible under the Donations - Financial Assistance for Community Groups Policy, with a link to that policy as follows.

[Donations - Financial Assistance for Community Groups](#)

Previous funding must be acquitted prior to the provision of future funds.

All donation applications from 2025/26 have been acquitted.

2. Submissions for Works, Services and Other Actions

Attachment 1 to this report includes the submissions received for works, services and other items. A summary of each submission follows.

Pedestrian Infrastructure connecting Silvergull and Angels Beach Drive

A submission was received regarding pedestrian infrastructure in the Angels Beach area, as follow up on a submission made to the 2023/24 Delivery Program.

Staff response

Council is currently progressing the development of an Integrated Transport Network Plan. This plan will include a review of the existing active transport components, including the Pedestrian Access and Mobility Plan (PAMP) and the Bicycle Plan.

As part of this process, the review of the existing PAMP (adopted in 2018) will consider projects that are yet to be constructed, and an assessment of requests received from residents.

The submissions for this section of footpath along Silver Gull Drive has been captured as part of this review.

The new Integrated Transport Network Plan is scheduled to be completed by March 2027, with public consultation anticipated towards the end of 2026. This will provide an opportunity for the community to review and provide feedback on proposed priorities and improvements.

Toilet Facilities Boat Ramp at the end of beach, Lennox Head

Council received a submission requesting toilets at the boat ramp end of the beach at Lennox Head.

Staff response

The four-year capital program for public amenities has been developed with a focus on capital renewal, bringing existing facilities up to safe, compliant and modern standards. This remains a priority over new facilities.

The Ballina Coastal Reserve Plan of management does not currently facilitate toilets at this location. Council also has new or recently refurbished toilets located in Ross Park and Lennox Park, Lennox Head.

No change to the program is recommended.

9.6 Delivery Program and Operational Plan - Adoption

Memorial Garden for First (Nation) Australian Wars

A submission was received to support creating a Memorial Garden to commemorate the First Australian Wars.

Staff response

Council's signed Aboriginal Partnership Agreement with the Jali Local Aboriginal Land Council (Jali LALC) provides a framework for managing priorities and requests for projects and commercial opportunities of this nature.

The preference is to use the Partnership Agreement as the preferred structure to confirm priorities.

Drainage Cumbalum Fields

A submission was received noting that Council's Sport and Recreation Plan 2020 identified as a high priority the need to "Undertake suitable field drainage (Football) at the Cumbalum Fields, considering the development of a synthetic field as an alternative solution."

The submission noted the Delivery Program does not currently include funding for these works and requests that this be included.

Staff response

Council completed drainage improvement works during 2022/23 with the installation of sub surface sports field drainage (12m spacing Laterals and 150mm Slit Drains) undertaken on the main fields. During 2025, Council undertook additional sand slitting into slotted pipe and open drain, with 20mm top dress on the junior fields.

Council has previously considered several outstanding larger sporting capital projects (26 June 2025) with over \$60m of projects unfunded. The anticipated costs of one synthetic field is estimated at \$2.2m by Football NSW adds to this list.

There is currently \$20,000 allocated during 2026/27 to investigate the wider hydrology as part of the Cumbalum Circle project. Council is not able to fund a synthetic field, and the focus remains on minor improvements.

Wigmore Hall - Extension and Upgrade

A submission was received from The Ballina Shire Concert Band requesting the inclusion of a future project to support the extension and upgrade of the Wigmore Hall building.

Staff response

An initial investigation into extending the hall has been undertaken and several challenges were identified.

The amenities area to the rear of the hall would need to be demolished and relocated.

9.6 Delivery Program and Operational Plan - Adoption

Any extension to the rear would impact and encroach on the Ballina Players lease area and access to the storage shed would be impacted.

Based on this investigation and building maintenance and management priorities identified in the exhibited works program, inclusion of the extension of the hall within the 2026/27 to 2029/30 work program through funding or allocation of other resources is not recommended.

Sporting Facilities and Club House Renovations Chickiba Sports Fields

A submission was received from Ballina Allstars Athletics Incorporated, requesting funding for staged upgrades to the sporting facilities and club house. The club obtained a quotation for proposed works which was also included within the submission.

Staff response

Council has previously allocated funding towards the construction of an additional shot-put facility under the 2025 Sporting Groups Capital Works Assistance donation program.

Other requests are noted and remain unfunded, with Council's Open Spaces Section continuing to work with the club to refine applicable planning pathways and inform future priorities.

Rayner Lane, Lennox Head

A submission was received noting the funding allocated in 2029/30 for this road, commenting on the current state of degradation of the road and risks with the current shared zone.

Staff response

The Urban Roads funding allocated in the Delivery Program for 2029/30 is for the reconstruction of Rayner Lane.

Rayner Lane is a low-traffic local road, meaning it experiences relatively low vehicle volumes compared to surrounding streets. As such, the introduction of a reduced speed environment within the shared zone is expected to further minimise vehicle impacts and improve overall safety.

There are currently signs notifying road users that they are entering the shared zone on both ends of Ballina Street and a sign on the corner of Ballina Street and Rayner Lane. There is also a sign at the end of Rayner Lane and Rutherford Street notifying that the shared zone has ended.

The Lennox Head Shared Zone was discussed at the Transport Forum held on 11 February 2026, where several actions were identified.

The Forum agreed to the following:

- NSW Police will continue regular patrols of the area.
- Council will investigate painting the shared zone approach ramp a different colour to better differentiate it from the general road surface.

9.6 Delivery Program and Operational Plan - Adoption

Council's Works Section will implement the following measures:

- Refresh the existing "piano key" shared zone entry line marking.
- Install high-visibility backing boards around existing regulatory signage in Ballina Street and Rayner Lane.
- Trial "Give Way to Pedestrians" signage (Perth-style signs) in Ballina Street.

These measures are intended to improve visibility, driver awareness, and overall safety within the shared zone.

Plan of Management Spoonbill Reserve, Skennars Head

A submission was received from the Lennox Head Heritage Committee, noting they are pleased to see funding in 2029/30 for the Spoonbill Reserve under the Plan of Management (POM).

The Committee was pleased to see heritage aspects and recognition of the Sharpe Family included within the POM.

Staff response

The Spoonbill Reserve Master Plan was adopted at the May 2026 Ordinary meeting and funding is allocated in 2029/30.

Drainage Skennars Head fields

A submission was received in relation to the drainage at Skennars Head fields, home to the Lennox Head Football Club.

The submission noted the club would like to work with Council on a drainage project, noting that further costs and details could be supplied later.

Staff response

The information provided by the club is noted, with recognition of the growth and status of the club within the Northern Rivers. This growth assists in the justification of previous capital investment at the Skennars Head site to expand and construct an additional sporting field.

Council has allocated \$80,000 in 2026/27 to undertake vegetation removal and surface improvement works. The vegetation removal is a priority with the proposed works more complex than originally anticipated due to the presence of a protected coastal wetland area along the eastern boundary of the site.

This area is recognised by the State Government as being environmentally sensitive and of high biodiversity value.

The surface improvement works with the residual funding aim to provide improvements to turf health and quality.

The inclement weather over the last two seasons has had a significant impact on all winter codes, with a various clubs raising concerns about lack of access to the fields.

9.6 Delivery Program and Operational Plan - Adoption

Ballina Shire is not alone in respect to this issue, with some councils having installed synthetic fields, at significant cost, with mixed feedback on that type of surface.

In respect to the Lennox Head Football Club, Council staff are scheduled to meet with club representatives in July to discuss the drainage plans in detail.

Saunders Oval Lighting for Field 3

A submission was received from the Ballina Bull Sharks in relation to the lighting at the oval.

The club advises that a consultant was recently engaged by Football Far North Coast to undertake an assessment of the lighting at the oval to ensure adequate lighting levels in accordance with Australian Standards. That assessment identified that Field 3 did not meet those lighting standards.

Ballina Touch note that this may potentially mean that the club are unable to use Field 3 for competition matches and, if that were the case, would create challenges for the club in the management of the competition.

The club requests Council include funding in the 2026/27 Operational Plan to address the lighting levels on Field 3 and ensure they meet the minimum standard for competition matches.

They also request the lighting on Fields 1 and 2 be assessed to determine the timing of any future required upgrades to those fields, to ensure no future interruption of running the competition.

Staff response

Whilst Council does not have a copy of the audit, lighting contractors are scheduled to be on site mid-June at Saunders Oval to replace a faulty luminaire (not associated with this request).

Field 3 lighting is to be inspected whilst contractors are onsite to assess compliance with applicable standards and inform appropriate actions. The works could include repair, re-lamping, re-aiming or assist in informing future capital upgrades. The aim is to undertake any essential improvements from within existing operating budgets.

Toilet at Patches Beach

A submission was received requesting toilets at Patches Beach.

Staff response

As mentioned earlier, the four-year capital program for public amenities has been developed with a focus on capital renewal, bringing existing facilities up to modern standards.

Council has previously considered facilities at South Ballina and resolved not to proceed, with any plans for new facilities to be discussed in collaboration with Crown Lands, as the key beach landowner and stakeholder.

B. Updates Based on Contemporary Information

This section deals with changes to the exhibited documents based on updated information or other suggestions for improvements to the final documents.

Landfill and Resource Management and Domestic Waste Management fees and charges

The escalation in global fuel prices arising from the Iran conflict has had a significant impact on Council's waste operations, particularly within the Landfill and Resource Management (LRM) and Domestic Waste Management (DWM) budgets.

These impacts are primarily associated with increased contract costs for kerbside bin collection, as well as the transport and disposal of waste.

In response to these cost pressures, price adjustments have been negotiated with Council's waste contractors in accordance with provisions contained within the existing contracts.

Where such mechanisms are not available, increases have been determined in line with the Fair Work Commission's Fuel Cost Recovery – Road Transport Order.

These adjustments reflect increases in operating costs faced by contractors and ensure continuity of essential waste services.

Given the rapidly evolving nature of global fuel markets, a high degree of uncertainty remains. As such, a conservative forecasting approach has been adopted based on fuel price movements observed during April and May 2026.

On this basis, it is estimated that the annual kerbside collection contract costs attributable to the DWM budget will increase by approximately \$214,000.

In addition, transport and disposal costs for residual waste are forecast to increase by a further \$380,000 per annum.

These increases are in addition to fuel-related cost escalations already realised, or expected to be realised, during the 2025/26 and 2026/27 financial years.

Without intervention, these cumulative impacts will result in the LRM and DWM reserve balances moving into deficit during 2026/27. This is not a feasible financial outcome, as Council must maintain positive reserve balances and cannot operate with negative reserves.

As such, to maintain the financial viability of these services and ensure positive reserve balances, it is necessary for Council to generate additional revenue.

The most appropriate and reliable mechanism to generate revenue is through an increase in the annual domestic and non-domestic waste charges.

Alternative measures, such as increasing gate fees at the Resource Recovery Centre (RRC), are considered high risk and do not provide a guaranteed revenue stream.

9.6 Delivery Program and Operational Plan - Adoption

Evidence of this risk is already being observed, with reduced volumes of commercial waste being received as contractors divert to facilities where pricing is becoming more competitive.

To achieve modest, but positive, reserve balances of approximately \$13,000 for LRM and \$28,000 for DWM, it is recommended that an additional 5% increase be applied to the exhibited annual waste charges, over and above the exhibited 6% increase.

This would result in a total increase of 11% for the 2026/27 financial year.

In practical terms, this equates to an additional annual increase of approximately \$24 for urban domestic waste services and \$17 for rural services.

Furthermore, it is necessary to adjust the internal gate fee paid by DWM to LRM to from \$550 to \$598 per tonne (inc GST).

This internal pricing mechanism is the mechanism used to transfer funds from DWM to the LRM budget and is critical to ensuring the ongoing financial sustainability of landfill and resource recovery operations.

The next table details the proposed changes to the exhibited fees and charges.

Table 2 - Proposed Changes to Waste Management Fees and Charges

Fee Name	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
Waste Management Fees & Charges					
<ul style="list-style-type: none"> Solar Panels <i>Rooftop solar panels.</i> 					
\$/panel.	B	N/A	Y	\$10	No change
<ul style="list-style-type: none"> 100% Sorted Recyclables <i>(Paper, cardboard, glass/plastic bottles, steel/aluminium cans, material deemed potentially suitable for tip shop). Minimum weight charge 20kg.</i> 					
Domestic - weighed \$/tonne.	B	\$113	Y	\$118	No change
Commercial - weighed \$/tonne.	B	\$311	Y	\$324	No change
<ul style="list-style-type: none"> General Mixed Waste <i>(No liquids - includes putrescible, builders and bulky waste). Minimum weight charge 20kg. Domestic – Applies only to self-hauled waste delivered directly by residential customers. Commercial – Applies to all waste delivered by commercial operators, including skip-bin services, regardless of waste origin.</i> 					
Domestic - weighed \$/tonne.	B	\$316	Y	\$346	No change
Commercial - weighed \$/tonne.	B	\$404	Y	\$459	No change
<ul style="list-style-type: none"> 100% Green Waste <i>(Grass clippings, garden waste, tree lopping <300mm diameter, no soil and no treated timber) Any green waste mixed with other material will be charged non sorted mixed waste fee. Minimum weight charge 20kg.</i> 					
Sorted - weighed \$/tonne.	B	\$86	Y	\$89	No change
<ul style="list-style-type: none"> Sorted Wood, Trees or Tree Stumps <i>(Tree stumps diameter >300mm thick includes mixed with green waste, no soil and no treated timber). Any green waste mixed with other material will be charged non sorted mixed waste fee. Minimum weight charge 20kg.</i> 					
Sorted - weighed \$/tonne.	B	\$140	Y	\$146	No change

9.6 Delivery Program and Operational Plan - Adoption

Fee Name	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
<ul style="list-style-type: none"> 100% Sorted Scrap Metal <i>(Includes car bodies and white goods). Minimum weight charge 20kg.</i> 					
Sorted - weighed \$/tonne.	B	No charge	Y	No charge	No change
<ul style="list-style-type: none"> 100% Sorted Brick and Concrete <i>(Clean concrete, bricks and rock, no soil. Penalties will be imposed for material containing asbestos). Minimum weight charge 20kg.</i> 					
Sorted - weighed \$/tonne.	B	\$217	Y	\$226	No change
<ul style="list-style-type: none"> 100% Sorted Roof Tiles and Ceramics <i>(Clean, loose tiles only, no bathroom tiles with backing board. Penalties will be imposed for material containing asbestos). Minimum weight charge 20kg.</i> 					
Sorted - weighed \$/tonne.	B	\$217	Y	\$226	No change
<ul style="list-style-type: none"> DWM Kerbside Co-mingled Recyclables DWM Kerbside Putrescible Waste 					
Internal Charge for Domestic Waste Collected at the Kerbside.	B	\$505	Y	\$550	\$598
<ul style="list-style-type: none"> Bulk Commercial Waste & Recycling Loads 					
Waste Services is a Commercial Enterprise and Council Reserves the Right to Negotiate Gate Fees with Individual Persons or Organisations where there is a Commercial Benefit to Council.	B	POA	Y	POA	No change
<ul style="list-style-type: none"> Virgin Excavated Natural Material (VENM) <i>(Must be pre-booked at least 24 hours in advance and have all certification and test results). Minimum weight charge 20kg.</i> 					
All vehicles - weighed \$/tonne.	B	POA	Y	POA	No change
<ul style="list-style-type: none"> Soil (not contaminated or VENM) <i>(Must be pre-booked at least 24 hours in advance and have testing results to comply with the Waste Guidelines. Soil only. No boulders, tree stumps). Minimum weight charge 20kg.</i> 					
All vehicles - weighed \$/tonne.	B	POA	Y	POA	No change
<ul style="list-style-type: none"> Contaminated Soil <i>(Soil with no testing results that hasn't been pre-booked. Soil mixed with other material. Penalties will be imposed for material containing asbestos). Minimum weight charge 20kg.</i> 					
All vehicles - weighed \$/tonne.	B	\$404	Y	\$459	No change
<ul style="list-style-type: none"> Specific Waste Charge 					
<ul style="list-style-type: none"> a. Asbestos Waste <i>The Householders Asbestos Disposal Scheme seeks to improve work health and safety for the safe removal and disposal of bonded asbestos. Ballina Shire Council is subsidising the cost of the kits which will be made available at the Waste Centre.</i> 					
Household asbestos sample test kit.	B	No charge	Y	No charge	No change
Household Asbestos Kit.	C	\$30	Y	\$30	No change
<ul style="list-style-type: none"> b. Tyres 					
Car, motor bike (/tyre).	B	\$11	Y	\$13	No change
4 x 4 Light truck (/tyre).	B	\$17	Y	\$19	No change
Truck (/tyre).	B	\$38	Y	\$43	No change
Car, motor bike (/tyre with rim).	B	\$20	Y	\$23	No change
4 x 4 Light truck (/tyre with rim).	B	\$40	Y	\$46	No change
Truck (/tyre with rim).	B	\$80	Y	\$92	No change
Other (/tyre).	B	POA	Y	POA	No change

9.6 Delivery Program and Operational Plan - Adoption

Fee Name	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
c. Refrigerators/Air Conditioners					
(No degas certificate) (/item).	B	\$37	Y	\$40	No change
d. Dead Animals					
<i>Minimum weight charge 20kg.</i>					
Dead animal(s) - weighed \$/tonne.	B	\$404	Y	\$459	No change
e. Special Event Bin Collection Service					
<i>Charge for delivery and one (1) collection of Garbage, Recycling and/or Organic Bin/s. Price available upon application to the Waste Management Centre. Prices reviewed as market rates and operating costs change.</i>					
1-6 bins - Small Sized Event.	B	\$170	Y	\$170	No change
7-12 bins - Medium Sized Event.	B	\$335	Y	\$335	No change
13-18 bins - Large Sized Event.	B	\$492	Y	\$492	No change
Additional Event Bin Collection.	B	\$25	Y	\$25	No change
f. Weighbridge Certificate - For Registration Purposes Only					
<i>Single weighing requiring certificate (includes account customers). Please note - this facility is not a public weighbridge.</i>					
Weighbridge Certificate.	B	\$44	Y	\$46	No change
g. Mulch					
Large quantities of mulch - price reviewed to meet demand and operational needs.	C	POA	Y	POA	No change
h. Crushed concrete sale per tonne					
Crushed concrete sale per tonne.	B	\$15	Y	\$15	No change
<ul style="list-style-type: none"> Waste Management Negotiated Fees 					
<i>Waste Services is a commercial enterprise and Council does reserve the right to negotiate with individual persons or organisations where there is a commercial benefit to Council e.g., specific fees may be negotiated for bulk sales of waste product.</i>					
Waste Management Collection Services					
<ul style="list-style-type: none"> Domestic Waste Exempt Collection Service (Section 496 of the Local Government Act) 					
Properties that are occupied and for which a DWM service is available but where Council has decided not to provide a collection service (e.g. safety, physical limitations of the property, Multi Unit Dwelling's approved by Council to utilise an alternate service arrangement) must still pay a DWM charge pursuant to section 496 of the LGA.	B	\$50	N	\$53	No change
<ul style="list-style-type: none"> Bin Changeover Fee 					
Size/capacity changeover fee (first changeover free of charge then all subsequent changes per property per annum per owner/s attracts fee).	B	\$76	N	\$79	No change

9.6 Delivery Program and Operational Plan - Adoption

Fee Name	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
<p>• Domestic Waste Collection Charges - Urban (Section 496 of the Local Government Act) <i>Wheelie Bin Collection Service - Charges per property, per self-contained occupancy, per annum. Charges relevant for mixed waste and organics bins up to 240 litres capacity and recycling bins up to 360 litres capacity.</i></p>					
Urban Properties - Service provides collection of one mixed bin per fortnight, one recycling bin per fortnight and one organics bin per week.	B	\$473	N	\$501	\$525
Vacant Land - Per rateable property where the collection service is available but not utilised.	B	\$50	N	\$53	\$56
<p>• Domestic Waste Collection Charges - Rural (Section 496 of the Local Government Act) <i>Wheelie Bin Collection Service - Charges per property, per self-contained occupancy, per annum. Charges relevant for mixed waste bins up to 240 litres capacity and recycling bins up to 360 litres capacity.</i></p>					
Rural Properties - Service provides collection of one mixed waste bin per fortnight and one recycling bin per fortnight.	B	\$340	N	\$360	\$377
<p>• Additional Domestic Waste Collection Services (Section 496 of the Local Government Act)</p>					
Additional Domestic Recycling Collection Charge - Urban and Rural - One recycling bin per fortnight.	B	\$114	N	\$121	\$127
Additional Domestic Organics Collection Charge - Urban - One organics bin per week.	B	\$199	N	\$211	\$221
Additional Mixed Waste Collection Charge - Urban - One mixed waste bin per fortnight.	B	\$140	N	\$148	\$155
Additional Mixed Waste Collection Charge - Rural - One mixed waste bin per fortnight.	B	\$140	N	\$148	\$155
<p>• Non-Domestic Collection Charges - Business, Commercial, Industrial Properties (Section 501 of the Local Government Act) <i>Optional service provided to non-domestic customers upon request. Per collection service, per annum. Charges relevant for mixed waste and organic bins up to 240 litres capacity and recycling bins up to 360 litres capacity.</i></p>					
Non-Domestic Waste Collection - One mixed waste bin collection per week.	A	\$465	N	\$493	\$516
Non-Domestic Recycling Collection - One recycling bin collection per fortnight.	A	\$229	N	\$243	\$254
Non-Domestic Organics Collection - One organics bin collection per week.	A	\$299	N	\$317	\$332

9.6 Delivery Program and Operational Plan - Adoption

Fee Name	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
• Organic Bin Caddy					
Kitchen Organics Bin Caddy - Pick-up.	B	\$10	Y	\$10	No change
Kitchen Organics Bin Caddy - Delivered.	B	N/A	Y	\$15	No change
• Compost Bin Fee					
220L Gedeye (or similar) Compost Bin Fee - Pick Up.	B	\$30	Y	\$50	No change
220L Gedeye (or similar) Compost Bin Fee - Delivered.	B	N/A	Y	\$60	No change
• Admin Fee					
Fee for the Replacement of lost Commercial Bin Stickers.	B	\$10	Y	\$10	No change
• Missed Bin Collection Charge					
Fee charged for instances where the customer has not presented their bin for collection and subsequently ask for the bin to be collected. 1 - 5 Bins.	B	\$47	Y	\$49	No change
Fee charged for instances where the customer has not presented their bin for collection and subsequently ask for the bin to be collected. Greater than 5 Bins.	B	\$62	Y	\$64	No change

Once annual waste charges are levied, they cannot be reduced within the same rating period.

However, should fuel prices decrease during the year, or in future years, Council retains the ability to adjust subsequent annual charges downward in line with improved financial forecasts and Long-Term Financial Plan (LTFP) performance.

This approach is considered appropriate given the ongoing nature of waste service provision and the need to respond in as flexible way as possible to the current changing economic conditions.

Even with this additional increase, Council's waste charges remain competitive as per the following benchmarking information, which was reported to the 9 March 2026 Finance and Facilities Committee meeting.

Table 3 - Council Benchmarking - 2025/26 (\$)

Council	Urban Residential 3-bin Collection	Rural Residential 2-bin Collection
Ballina	473	340
Byron	866	663
Clarence Valley	452	395
Lismore	747	631
Tweed	716	716
Richmond Valley	768	768*
Kyogle	911	911*

9.6 Delivery Program and Operational Plan - Adoption

Ordinary Rate Revenue

Council must adopt the ordinary rates to be levied for 2026/27.

The rates in the dollar and base amounts in the following table reflect an increase of 6.0%, based on the IPART Approved Special Rate Variation for Ballina Shire for 2026/27.

The exhibited rates, which were indicative, were as per the notional yield calculations completed prior to the 9 March 2026 Finance and Facilities Committee meeting. Those calculations were for the purpose of confirming the rating structure.

A recalculation has been completed in June 2026, with the updated figures including changes in the rating base that have occurred over the last few months.

Table 4 - Rates in the Dollar and Base Amounts – 2026/27

Rate Category	Rate (cents in \$)	Base Amount (\$)	% Income from Base Amount
Residential	0.11065	690	49.36%
Business	0.54205	690	15.26%
Farmland	0.08966	690	31.44%
Mining	0.54205	690	0.00%

The forecast average 2026/27 rates per these calculations are \$1,398 for residential, \$4,457 for business and \$2,192 for farmland.

This compares to the calculations presented in March of \$1,395 for residential, \$4,512 for business and \$2,185 for farmland.

The recommendations include the making of the rates and the various annual charges (i.e. waste, water, wastewater etc) included in the fees and charges.

Interest Rate for Outstanding Fees and Charges

The imposition of an interest rate on outstanding fees and charges is necessary to provide an incentive for payment and lessen the likelihood of individual ratepayers accumulating excessive outstanding balances, whilst also contributing to the administrative costs of Council in following up of those balances.

It is also relevant to consider the differential between Council's earnings on cash investments and earnings on outstanding fees and charges.

In accordance with Section 566(3) of the Local Government Act, the Minister for Local Government has determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2026 to 30 June 2027 (inclusive) is 9.5% per annum, compared to a maximum rate of 10.5% for the previous year.

Council adopted 10.0% for the period 1 July 2025 to 30 June 2026, which was lower than the maximum rate allowable. The maximum rate of 10.5% was high

9.6 Delivery Program and Operational Plan - Adoption

considering Reserve Bank of Australia official cash rate reductions that occurred in the period leading up to the adoption of budgets in June 2025.

The recommendation to this report proposes that the maximum interest rate of 9.5% be applied for 2026/27, which is standard practice. Three Reserve Bank cash rate rises have occurred in the period of January to May 2026.

Ratepayers experiencing financial hardship can also apply for relief under Council's Financial Assistance (Hardship) Rates and Charges policy.

Councillor and Mayoral Fees – 2026/27

Sections 248 and 249 of the Local Government Act require councils to fix and pay an annual fee to councillors and mayors based on determinations made by the Local Government Remuneration Tribunal.

The Tribunal is required to determine the remuneration categories of councils and mayoral offices, at least every three years, and the level of fees depending on the category the council is in.

The Local Government Remuneration Tribunal undertook a review this year, and rectified a criteria anomaly identified in the 'Regional Strategic' category established in the 2023 annual determination and adjusted the population criteria for the 'Major Strategic Area' category, from 300,000 to 200,000.

This did not impact Ballina Shire, and Council remains within the "Regional Centre" classification.

The Tribunal has indicated it will undertake a further review of the categories of councils as part of its 2027 determination.

A council cannot fix a fee higher than the maximum amount determined by the Tribunal. If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The Tribunal determined an increase of 3.7% for 2026/27 to the minimum and maximum fees applicable to each category.

The recommendation is to adopt the maximum councillor and mayoral fees for 2026/27 as determined by the Local Government Remuneration Tribunal.

Australian Flags for Australia Day

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

- 1. That Council notes the contents of this report in respect to the design concepts and operating budget associated with the Australia Day event.*
- 2. That Council supports Option 2, as per the contents of this report, in respect to Australia Day themed flags located in River Street, Ballina and additional Community Event Banner Signage, based on the preferred design (Concept Design 1), subject to a further report to Council at the 13 April 2026 Finance and Facilities Committee meeting.*

9.6 Delivery Program and Operational Plan - Adoption

3. *That the implementation of Point 2, is subject to adequate funding being included in the adopted 2026/27 Australia Day event budget, with this request for funding to be considered at the 13 April 2026 Finance and Facilities Committee meeting, as part of the development of the Long Term Financial Plan for the General Fund.*
4. *That Council also investigate modifying the banner poles to allow for the Australian flag to be flown in the lead up to Australia Day and on Australia Day.*

A further report to the 13 April 2026 Finance and Facilities Committee meeting stated, *the preference by Council was not to fund this extra expenditure (approx. \$6,000) from recurrent revenue and increase the working capital deficit, as there have been numerous budgets reduced or provided with a limited increase already, to try and minimise the impact on working capital and the overall operating deficit.*

In response to point 4 of the resolution in modifying the banner poles to accommodate the Australian National Flag, further costs are being developed and will be reported to Council, when available.

This information is in response to point 4.

The location of the banner poles is as follows.

Table 5 - Banner Pole Locations

Location	Qty	Comments
Fishery Creek Bridge	2	Not available due to bridge works
Canal Bridge	2	Not available due to bridge works
Coast Road and Angels Beach Drive	2	
Byron Bay Road, Lennox Head	2	
Alstonville Main Street	9	
Wardell	1	

Due to the height of the existing banner pole infrastructure, standard flag sizes typically used on buildings (e.g. 1800 × 900 mm) would be undersized and not achieve appropriate visibility or proportionality.

Larger format flags would be required when flown at height.

There are Australian National Flag protocol considerations ([Australian National Flag protocols | PM&C](#)) which influence the feasibility and approach, with the relevant considerations being:

1. *Do not fly two flags on the same flagpole.*

This would mean that any promotional banner would need to come down should the Australian Flag be on the banner pole.

2. *Only fly the flag at night when it is illuminated.*

9.6 Delivery Program and Operational Plan - Adoption

If the flags will be left overnight, which is anticipated, Council would need to install spotlight kits for each banner pole, and this would be in the order of \$370 per pole.

3. *The flag should always be flown freely and as close as possible to the top of the flagpole with rope tightly secured.*

To enable the flag to be secured at the top of our banner pole infrastructure, this will require a retrofitting of the existing banner pole infrastructure by our Workshop Team.

They have estimated the cost per pole will be in the order of \$500.

Installation and removal costs are estimated at approximately \$400 per location for standard roadside banner pole infrastructure, with higher costs likely at more complex sites requiring traffic control.

Costs are indicative only and would require further refinement based on site-specific access, traffic management and operational requirements.

Although included in the following estimates, the Fishery Creek and Canal Bridge locations are currently unavailable due to bridge works.

Table 6 - Banner Pole Estimates (\$)

Location	Qty	Flag (oversized) (\$)	Installation and removal (annual) (\$)	Retrofit and lighting (\$)	Total (\$)
Fishery Creek Bridge	2	600	400	1,740	2,740*
Canal Bridge	2	600	400	1,740	2,740*
The Coast Road and Angels Beach Drive	2	600	400	1,740	2,740
Byron Bay Road, Lennox Head	2	600	400	1,740	2,740
Alstonville Main Street	2	600	400	1,740	2,740
Wardell	1	300	400	870	1,570
Total					15,270

The existing banner infrastructure creates an inviting visual that welcomes visitors and supports a sense of place and connection for residents. Modifications to this infrastructure may limit the effectiveness of the displays.

As an alternative, Council could support the display of Australian flags on Council buildings where flagpoles already exist and provide flags to those locations annually.

This already occurs at the Ballina Byron Gateway Airport, Ballina Visitor Information Centre and the Council Administration Building.

Council already expends significant monies in delivering the Australia Day ceremony and associated promotions, and based on the costs outlined, it is recommended that Council not proceed with modifications to existing banner

9.6 Delivery Program and Operational Plan - Adoption

pole infrastructure to accommodate Australian flag installations, noting the ongoing operational requirements.

Council has also requested investigation into the feasibility of installing River Street-style banner infrastructure in Lennox Head and Alstonville.

The preliminary assessment indicates that installation in these centres would be constrained by existing streetscape design and recent upgrades (particularly the Lennox Head Village Vision works), limited availability of suitable locations (including the absence of central medians), and potential impacts on traffic safety, sightlines and pedestrian access.

As a result, the feasibility is uncertain, and no specific locations have been identified.

Suitability depends on site-specific factors including road corridor widths, underground services, existing infrastructure and compliance with traffic and safety requirements.

Installation of new River Street-style infrastructure would also involve pole supply and installation, civil works, and traffic management. These costs will be significantly higher than retrofitting existing banner poles.

There is currently no known existing infrastructure in Lennox Head or Alstonville that could be directly utilised for this purpose and would require separate infrastructure and based on this no further action is recommended.

Ballina Surf Club Hire Fees – Jali Local Aboriginal Land Council

Council receives requests from Jali Local Aboriginal Land Council (Jali LALC) for hire of the Ballina Surf Club from time to time.

Council has a signed Memorandum of Understanding (MoU) with the Jali LALC in relation to the Ballina Surf Club, where Jali LALC provided Council with approval to proceed with works, despite Aboriginal land claims being lodged on the site, relating to the realignment of Compton Drive and the construction of Surf Club Building B, and associated car park, subject to the following key MoU points:

- Council not proceeding with the relocation of the Lennox Head Rural Fire Service shed to land at Byron Bay Road (completed)
- Council to promote Aboriginal participation in the surf club construction works (completed)
- Council to encourage the participation of Aboriginal Youth and the broader Aboriginal community in the programs conducted by the Ballina Lighthouse and Lismore Surf Club (ongoing), and
- Council to waive planning application fees to a maximum of \$5,000, if a development application was lodged by Jali LALC for the operation of a quarry on Jali LALC owned land at Bagotville, within five years of the date of the MoU (did not eventuate with the MoU agreed in 2013).

9.6 Delivery Program and Operational Plan - Adoption

Council has also recently signed a Partnership Agreement with Jali LALC to promote and develop further outcomes for the Aboriginal community.

To support Jali LALC in their use of the Ballina Surf Club meeting rooms and acknowledging the support they provided in the construction of the facilities, the MoU and the Partnership Agreement, it is recommended that Council amend the Donations – Assistance with Council Fees for Community Groups Policy to include an annual provision of up to \$1,000 for Jali LALC to hire the meeting rooms.

As outlined earlier in this report, Council has a budget of \$4,000 in the donations program for this policy and in recent years the actual expenditure has been well below that figure.

The meeting room requests would be considered as part of the standard booking process, having regard to the Jali LALC Partnership Agreement, with the General Manager authorised to approve the fee waiver. Requests by other Aboriginal groups, where there is no Partnership Agreement, would require consideration through the annual Community Donations process.

The recommendations to this report include this change to the existing policy.

Council Chambers Remediation

The Council Chambers requires remediation works due to ongoing water damage that has affected the carpet and walls.

The works include carpet replacement and external wall resealing.

Whilst the Council Chambers is out of service, there is an opportunity to undertake additional improvements including removing the carpet from the walls and installing timber panelling to improve acoustics, gallery chair improvements including reupholstering, and audio-visual upgrade to incorporate screens and remove the older style projectors.

A recommended list of the improvements is outlined in the following table.

Table 7 - Council Chambers – Remediation and Improvements

Remediation and Enhancement Works	(\$)
Carpet Replacement	14,000
Mould Remediation	25,000
Timber Panelling (acoustic based on Rous County Council improvements)	5,000
Chair Upholstering	24,000
Refurbish Timber Desks	12,000
Screen Replacement and Cabling	7,000
Total	87,000

The works are important for the continued use of the Chambers and are well overdue.

9.6 Delivery Program and Operational Plan - Adoption

There are no recurrent funding or discretionary capital expenditure budgets in the draft LTFP to allow this work to proceed, and the preference is to source the funding from existing internal reserves.

The recommendations to this report include the following funding sources, with the two reserves listed, held as part of the overall Corporate and Community Division programs:

Reserve	Funding	Balance 30/6/27
Building Asset Renewals	47,000	160,000
Legals and Miscellaneous	40,000	133,000

64 Crane Street, Ballina

Council has for several years located the People and Culture (P&C) Section of the organisation in separate premises that are easily accessible to field based and office based staff.

The original location was 71 Tamar Street adjacent to the Council Administration Centre and when that building became uninhabitable following the 2022 floods, the P&C section was relocated to 64 Crane Street, as this building was vacant due to the Northcott Society not renewing their commercial lease after many years. 71 Tamar Street was eventually demolished now forms part of the car park for the Administration Centre.

71 Tamar Street and 64 Crane Street, along with 62 Crane Street (Meals on Wheels), as well as Ignite Studios (60 Crane Street) are all freehold operational land parcels owned by Council.

When combined with the crown land on which the Administration Centre, and the Community Gallery / Cafe and Paradise FM lease are located, this precinct then forms a long term strategic land holding, that will potentially be redeveloped one day to create a significant civic hub in Ballina.

This precinct, combined with Council's freehold operational land for the Wigmore Car Park and Wigmore Arcade, has long term potential for a major civic precinct, albeit that the funding required for any redevelopment is well beyond Council's current financial resources.

With the construction of the new Depot Administration building at Council's Southern Cross Drive Depot, employees from the Civil Services Division have relocated to the Depot, which has allowed the P&C Section to vacate 64 Crane Street.

The proposal is to lease the premises, as it was up to 2022, with the property located on operational land, and zoned medium density residential.

A rental appraisal has been undertaken, with a potential rent value of \$40,000 per annum. This income would help to partially offset the loss of recurring income from the vacancy of the 89 Tamar Street premises

9.6 Delivery Program and Operational Plan - Adoption

Enterprise Resource Planning (ERP) Software Renewal – Civica Altitude Agreement

Council uses the Altitude ERP platform (Civica) to support core information management, financial management and records functions across the organisation. At the 27 June 2024 Ordinary meeting, as part of adopting the 2024/25 Delivery Program and Operational Plan, Council resolved as follows in respect to this platform.

That Council resolves, in accordance with section 55(3)(i) of the Local Government Act 1993, to not undertake a tender process for the renewal of the Civica Authority Enterprise Software platform due to extenuating circumstances, that would not result in a satisfactory outcome for Council and cause significant operational disruption and additional costs to the organisation.

This resolution was required as Civica was no longer on the Local Government Procurement (LGP) contract LGP115 – ITC Products, Services and Consulting, contract.

As LGP is a prescribed supplier under the Local Government Act, Council can procure products and services from Civica without tendering.

The ERP software is a major cost for Council, and the 2026/27 financial year represents the final year of what is a three-year agreement.

The renewal cost for 2026/27 is \$480,112 (ex GST), which covers the Altitude ERP service and associated modules.

Council must continue to pay this agreement due to the software being an integral part of Council's operations, as reported to June 2024:

“Council uses the Civica Authority/Altitude enterprise software platform for all core enterprise software services, including financial management, accounts payable and receivable, assets management, property and rating, development application management, records and document management, stores and inventory management, payroll, customer requests management etc.”

The 2026/27 renewal will ensure business continuity for critical information management functions, including records compliance, document management, and integration with other core business systems.

As 2026/27 represents the final year of the current agreement, Council will soon:

- Undertake a market evaluation to assess available platforms and ensure continued value for money, functionality, and alignment with organisational needs
- Formal procurement process will be undertaken for future service provision
- Consider lessons learned from the existing systems, including performance, user adoption, support arrangements, and total cost of ownership.

9.6 Delivery Program and Operational Plan - Adoption

This approach ensures that Council maintains service continuity in the short term, while meeting good governance and procurement obligations by testing the market prior to any future long-term commitment.

The renewal cost has already been factored into the 2026/27 budgets.

Enterprise Asset Management System

The implementation of a contemporary Enterprise Asset Management System (AMS) is a priority identified within Council's Strategic Asset Management Plan (SAMP) and associated Asset Management Improvement Program.

It has also been identified as a priority in internal audit reports undertaken for Council by Grant Thornton Pty. Ltd.

A contemporary AMS will aim to deliver a modern, integrated platform that strengthens asset data governance, enhances GIS integration, improves inspection and maintenance practices, supports mobile field operations, and enables robust financial asset management.

Council's existing AMS (Civica Altitude) no longer adequately supports current and emerging asset management requirements.

Limitations in core functionality—including constrained GIS integration, limited field mobility, and the absence of an integrated works management capability—have been consistently identified through internal audits, asset management maturity assessments, and organisational reviews.

These constraints contribute to inefficiencies, duplication of data, reduced reporting capability, and ongoing reliance on manual processes and workarounds.

The proposed AMS will establish a single source of asset information, enabling improved operational efficiency, enhanced data integrity, and more informed, evidence-based lifecycle decision-making.

It will also support Council in progressing its asset management maturity and aligning with best practice and regulatory expectations.

Failure to proceed with this investment will result in continued reliance on an outdated system that does not meet Council's strategic or operational needs.

This presents ongoing risks relating to data quality, service inefficiencies, and the ability to address long-standing organisational recommendations, particularly in relation to GIS integration, works management, and asset management capability uplift.

The estimated cost for the implementation of the new AMS, based on preliminary investigations, is as follows.

Item	Amount (\$)
Project Management	70,000
AMS Implementation and Year 1 Licencing	215,000
Total	285,000

9.6 Delivery Program and Operational Plan - Adoption

In addition, there will be recurrent licensing fees of approximately \$95,000 from Year 2 onwards.

The AMS is essential to improved asset management outcomes, along with increased efficiencies and it is recommended that funding be allocated from the following sources.

Reserve	Funding	Balance 30/6/27
Water Reserves	75,000	5,906,000
Wastewater Reserves	75,000	10,916,000
Road Contingency Reserve	135,000	1,200,000
Total Funding	285,000	

The Water and Wastewater contributions are based on their proportion of the total asset base.

The recurrent licensing fees will be funded from the retirement of replaced / redundant systems.

Microsoft Licensing Renewal – Northern Rivers Joint Organisation

Council participates in a collaborative Microsoft licensing arrangement through the Northern Rivers Joint Organisation (NRJO.)

This arrangement enables council to leverage aggregated purchasing, improved pricing, and shared contract management arrangements.

Following the completion of a formal procurement process, Insight Enterprises Australia Pty Ltd has been identified as the preferred vendor for the provision of Microsoft licensing services to NRJO and the participating councils.

The proposed licensing model adopts a hybrid approach, including:

- Enterprise Agreement (EA) / Server and Cloud Enrolment (SCE) for server-based licensing
- Cloud Solution Provider (CSP) model for Microsoft 365 and cloud services

For Council, the licensing arrangement includes core Microsoft 365 services (including E5 and F3 licensing), security, collaboration tools, and supporting infrastructure licensing.

The indicative annual cost is approximately \$388,700 (ex GST) based on the tendered pricing model, noting that some CSP components are subject to annual variation. The agreement provides:

- Access to volume-based pricing and improved commercial terms through the aggregated NRJO approach (i.e. increased buying power)
- Price protection for key licensing components over a three-year term
- A dedicated account management and support model, including licensing optimisation and compliance support

This renewal ensures continuity of Council's core information technology environment, including productivity, security, and communications platforms.

9.6 Delivery Program and Operational Plan - Adoption

The Microsoft licensing costs are already factored into the 2026/27 budgets.

Residential Asbestos Disposal Program (Trial)

In collaboration with Local Government NSW (LGNSW), Council is preparing to undertake a pilot trial of a residential Asbestos Disposal Program (ADP) at the Resource Recovery Centre.

This trial is to provide a safe, controlled, and lawful disposal option for small volumes (<10m², <100kg per customer) of correctly packaged non-friable asbestos generated within the Ballina Shire.

The trial aims to improve access to a compliant disposal service, reduce the risk of illegal dumping, and support the safe removal of legacy asbestos from the built environment.

The trial period will be for an initial three-month period, planned to commence in the later part of 2026.

The ADP will operate on a pre-booked basis only and will be managed in accordance with relevant environmental and work health and safety legislation, Council procedures, and regulatory requirements

A gate fee of \$618 per tonne is proposed to apply, for the disposal of material less than 10m² or less than 100kg per customer.

The recommendations include the exhibition of this fee to confirm the future introduction of this service.

Northern Rivers Community Gallery (NRCG) - Partner Program Fee Waiver Review

A recent proposal for a community pop-up event at Ignite Studios has prompted the NRCG employees to review the existing fee structure and descriptive provisions relating to partner programs within the draft 2026/27 Fees and Charges.

Partner programs are collaborative, co-hosted programs or events that allow the expansion of NRCG's program delivery and output for a reduced cost through the sharing of resources with third parties.

Currently, the Fees and Charges framework provides for the application of discounts or fee waivers for approved NRCG partner programs.

However, the current framework mandates the application of a commission of 25% on ticket sales or 40% on artwork sales.

Upon review, NRCG has identified that this structure is limited in its applicability, particularly for partner programs or initiatives that are not commercially oriented or ticketed.

Furthermore, there are circumstances where the application of a full fee waiver as part of NRCG's contribution to the partnership, without a corresponding commission, is appropriate.

9.6 Delivery Program and Operational Plan - Adoption

Accordingly, it is proposed to amend the partner program provisions within the 2026/27 Fees and Charges to incorporate the option of full fee waivers for non-commercial or non-ticketed programs.

This amendment aims to establish a more equitable, flexible, and robust fee structure to support future partnerships that allow NRCG to deliver an expanded annual program of events for a reduced cost to the operational budget, while also informing the development of an updated internal process for the establishment and management of partner agreements.

The proposed amendments to partner program fee waiver provisions will:

- Provide a clearer and more transparent framework within the NRCG Fees and Charges for the application of fee waivers when engaging with partners to deliver co-presented events and programs
- Enable greater flexibility for NRCG to meet its strategic objectives
- Support the delivery of higher-quality program initiatives through a cost-effective and collaborative approach to partnerships with external stakeholders
- Ensure that fee waivers are applied in a structured and consistent manner, rather than on an ad hoc basis, and only where supported by available budget, programming priorities, and established selection criteria
- Limit the application of fee waivers to a maximum of five instances per financial year, not exceeding a two-week hire period, and one instance per artist or group per year
- Require that all approved programs meet the selection criteria.

The recommendations include additional narrative to the 2026/27 Fees and Charges as per the following:

Non-ticketed or non-commercial programs or events may be eligible for fee waivers, at the discretion of NRCG management and are not available by request.

Capital Works Program – Review of Delivery Timing

The exhibited draft Operational Plan included approximately \$148m in capital works for 2026/27, which is well above the average value of works completed each year, which is traditionally around \$40m to \$70m.

The major reasons for this significant increase are the Bridge Duplications and Alstonville Cultural Centre Refurbishment contracts, which total close to \$90m and both contracts are underway.

To improve the percentage of projects delivered for 2026/27, and to reduce deferrals during the year, a comprehensive review of the approvals and tender requirements, along with the construction timeframes for all projects has now been completed.

9.6 Delivery Program and Operational Plan - Adoption

This review has resulted in the exhibited capital works program for 2026/27 being reduced to approximately \$136m, with approximately \$12m in projects deferred to 2027/28.

The revised program is included as Attachments 2 (General Fund), 3 (Water Fund) and 4 (Wastewater Fund) to this report.

The columns titled "Draft LTFP" represents the exhibited information and the columns titled "Recommended" reflects the revised timing.

Where a change is recommended, the project has been highlighted in yellow.

The attachments include projects for 2026/27 and 2027/28, whereas the Delivery Program has a four-year program of works.

Only 2026/27 and 2027/28 are reviewed, due to the more immediate timing of those works.

Where a change in timing is recommended, this does not mean the project is not being carried out, rather it is a better reflection of the likely cash flows.

Considering the relatively high value of projects to be delivered during 2026/27, the changes are relatively few and are summarised as follows.

General Fund

- Flat Rock Tent Park – Increase in 2026/27 budget from \$70,000 to \$200,000, due to works deferred in 2025/26.

This expenditure is funded from the Flat Rock Tent Park Reserve

- Depot – Compound, Engineering Works Shed and Amenity Building – No change to total budgets, with the projects amended in priority order.
- Roads – Skennars Head Road Segment 80 and The Coast Road Segment 203 – Again no change in total budget with the priority order amended to allow The Coast Road segment 203 to be completed with segment 200, which is currently underway.
- Essential Public Assets Repairs (EPAR) – This represents one of the major changes with \$5.2m in EPAR expenditure deferred to 2027/28 based on the timing for all approvals and preconstruction works to be completed.

The three landslip projects deferred, in part, or in full, are Teven Road, The Coast Road and Sneaths Road.

- Ballina CBD – River and Martin Street Roundabout - \$400,000 deferred to 2027/28 based on forecast cashflows.
- Bridge Duplications – This represents the balance of the General Fund expenditure deferred with \$14.488m transferred to 2027/28 based on forecast cashflows provided by the contractor.

9.6 Delivery Program and Operational Plan - Adoption

Water Fund

No changes to the capital expenditure program.

Wastewater Fund

- Cashflow deferrals to 2027/28 related to the Cumbalum Area Release Areas for the pumping station and rising main.

These works have a strong connection to the progress of residential development, and this creates some uncertainty in respect to when the works will be delivered.

Cemetery Fees and Charges

During the exhibition period for the 2026/27 Fees and Charges, Council received notification from our cemetery plaque supplier highlighting a 7.5% increase in pricing, a significant increase exceeding the CPI adjustment that Council had applied.

Based on this cost increase, it is recommended that the relevant fees be adjusted in accordance with the following table.

Table 8 – Cemetery Fee Changes due to Plaque Cost Increases

Description	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
Large Niche Plaque (Plaque only / Replacement Plaque)	A	691	Y	717	742
Small Niche Plaque (Plaque only / Replacement Plaque)	A	645	Y	669	693
Extra Line on Niche Plaque	A	32	Y	32	34
Extra Line on Lawn Plaque	A	36	Y	36	38
Extra Line on Book Plaque	A	32	Y	32	34
Extra Line on Garden Plaque	A	32	Y	32	34
Coloured Plaque (not standard Phoenix Brown)	A	46	Y	46	49
Bronze Frame	A	90	Y	90	96
Extra Motif on Plaque	A	46	Y	46	49
Bas Relief Motif	A	56	Y	56	60
Custom Motif	A	46	Y	46	49
Interment Services Levy (Burial)	B	171.60	Y	178	178
Interment Services Levy (Ashes)	B	69.30	Y	72	72
First Interment Single Depth - Alstonville Lawn (12 years of age and over) existing Interment Right Total Standard package - includes same fees as above excluding the purchase of Interment Right - At-need fee	A	5,940	Y	6,160	6,220
First Interment Single Depth - Alstonville Lawn with no existing Interment Rights (12 years of age and over) Total Standard package - includes below fees	A	6,626	Y	6,871	6,932
Plaque	A	1,638	Y	1,698	1,760

9.6 Delivery Program and Operational Plan - Adoption

Description	Pricing Policy	Actual 2025/26	GST Y/N	Exhibited 2026/27	Revised 2026/27
Second Interment (Re-open) - Alstonville Lawn (12 years of age and over) Total Standard package - includes below fees	A	3,139	Y	3,255	3,280
Plaque	A	676	Y	702	726
Provision of Lawn Cemetery Plaque	A	1,638	Y	1,698	1,760
Provision of Additional Plaque Plate or Page	A	676	Y	702	726
Provision of Customer Lawn Plaque for Destitute Burial (All other burial costs applicable, this does not apply to the Alstonville Cemetery Lawn Section as standard price includes plaque work)	A	676	Y	702	726
Small Niche (With or without ashes, inclusive of a standard plaque) - No existing Interment Right	A	2,002	Y	2,076	2,100
Small Niche (With or Without ashes, inclusive of standard plaque) - Existing Interment Right	A	1,316	Y	1,365	1,389
Large Niche (With or without ashes, inclusive of standard plaque) - No existing Interment Right	A	2,181	Y	2,262	2,287
Large Niche (With or Without ashes, inclusive of standard plaque) - Existing Interment Right	A	1,495	Y	1,550	1,575
Placement - Memorial Gardens (With or without ashes, inclusive of standard plaque) - No existing Interment Right	A	2,248	Y	2,332	2,357
Placement - Memorial Gardens (With or Without ashes, inclusive of standard plaque) – Existing Interment Right	A	1,562	Y	1,620	1,645
Bronze Vase	A	190	Y	197	204
Small Niche	A	655	Y	680	704
Large Niche	A	690	Y	716	741

Also, Council received confirmation from Cemeteries and Crematoria NSW (CCNSW) regarding the confirmation of the 2026/27 State Government Levy, which is used to set some fees, during the exhibition period.

This has resulted in some minor adjustments to the CPI assumption and rectification of an incorrect GST code, with those changes included in Table 6.

Council will continue to make representations to CCNSW for earlier advice on the levy to assist with future fee exhibitions for local councils.

Delivery Program Strategy / Operational Plan Activity

The adoption of the draft Delivery Program and Operational Plan establishes the priorities and key actions for the next four years, with a specific focus on 2026/27.

Quarterly reports are provided to Council on the implementation of the actions in the Operational Plan.

9.6 Delivery Program and Operational Plan - Adoption

Community Engagement Strategy

Council advertised the draft Delivery Program and Operational Plan for public comment from 1 May to 1 June 2026.

The Your Say webpage was viewed 748 times (2025/26:1,311 views).

The decrease in views compared to the previous year is likely due to the significant engagement undertaken in 2025/26 for the Special Rate Variation and the redrafted Community Strategic Plan.

Six documents were made available online and downloaded at total of 379 times.

The most downloaded document was the Delivery Program/Operational Plan (183 downloads), followed by Fees and Charges (103), Workforce Management Strategy (31), Long Term Financial Plan and Budget (23), Strategic Asset Management Plan (23), and the Long-Term Financial Plan Summary (16).

At the close of the exhibition period, eleven submissions were received.

These submissions are included as Attachment 1 to this report.

A Q&A tool was also enabled on the Council webpage, which allows the community to post a question online and have it answered. Three questions were posted and answered via this tool. This information is included as Attachment 5 to this report.

Financial / Risk Considerations

Based on the latest available information the ten-year forecast for the General Fund is as per the following table, inclusive of the approved SRV.

Table 9 - Forecast General Fund Operating Result (\$'000)

Year	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36
Operating Income	105,236	110,378	115,138	121,233	124,939	129,631	134,222	139,180	144,096	149,300
Operating Exps	82,651	86,447	89,401	92,114	93,398	96,558	99,650	102,079	105,195	108,052
Result before Non-Cash items	22,585	23,931	25,737	29,119	31,541	33,073	34,572	37,101	38,901	41,248
Less Dep / Non-cash	26,361	26,411	27,253	28,123	29,020	29,944	30,899	31,883	32,899	33,944
Surplus/(Deficit)	(3,776)	(2,480)	(1,516)	996	2,521	3,129	3,673	5,218	6,002	7,304
Work Cap Result	(871)	(286)	(4)	581	852	1,262	1,655	2,152	2,652	3,246
Work C Balance	857	571	567	1,148	2,000	3,262	4,917	7,069	9,721	12,967

Options

The options include amending the recommendations and / or varying the works and services and / or the proposed fees, charges and rates. The recommendations reflect the contents of the report.

RECOMMENDATIONS

1. That Council adopts the Draft 2026/27 to 2029/30 Delivery Program and 2026/27 Operational Plan, which includes the Long-Term Financial Plan (budget), Workforce Management Strategy, Fees and Charges, and

9.6 Delivery Program and Operational Plan - Adoption

Strategic Asset Management Plan as exhibited, inclusive of any amendments arising from this meeting.

2. That Council approves the formation of a Working Party, consisting of all Councillors, to review the submissions received for Community Donations, as per Table 1 in this report.

The recommended allocation of the funding from the Working Party is to be reported to the 23 July 2026 Ordinary meeting.

3. That Council notes the contents of this report in respect to the submissions received on works and services, and thanks the people making the submissions for their time and effort in writing to Council.

The General Manager is to provide a response to all submissions outlining Council's actions in response to each submission.

4. That Council resolves to make the revised Waste charges for 2026/27, and relevant budget changes, based on recent increases in operating costs, as per Table 2 in this report, which includes increased Domestic Waste Urban and Rural Collection Annual Charges, Vacant Property Annual Charges and Non-Domestic Collection Services Annual Charges.
5. That subject to point 4, Council resolves to make the remaining annual charges for 2026/27, as exhibited in the draft 2026/27 Fees and Charges document that forms part of the Delivery Program and Operational Plan for Stormwater, Water Services, Wastewater Services and Onsite Septic Management.
6. That Council resolves to make a base rating structure applicable to all rateable land for the levy of the 2026/27 Ordinary Rates as per the following structure.

Rate Category	Rate (cents in \$)	Base Amount (\$)	% Income from Base Amount
Residential	0.11065	690	49.36%
Business	0.54205	690	15.26%
Farmland	0.08966	690	31.44%
Mining	0.54205	690	0.00%

The rate in the dollar for 2026/27 applies to the land value of all rateable land within the relevant category.

7. That Council adopts an interest payable on overdue rates and charges for the period 1 July 2026 to 30 June 2027 (inclusive) of 9.5% per annum.
8. That Council adopts the maximum Councillor and Mayoral fees for 2026/27 as determined by the Local Government Remuneration Tribunal.
9. That Council notes the contents of this report in respect to the information provided on modifications to the existing banner pole infrastructure to accommodate the Australian National Flag.
10. That Council approves an amendment to the Donations – Assistance with Council Fees for Community Groups Policy to include an annual provision of up to \$1,000 (Ex GST) for Jali Local Aboriginal Land Council (Jali LALC)

9.6 Delivery Program and Operational Plan - Adoption

to hire the Ballina Surf Club meeting rooms, and in doing so acknowledging the Memorandum of Understanding for the Ballina Surf Club and the Partnership Agreement Council has signed with Jali Local Aboriginal Land Council (Jali LALC), with the General Manager approved to waive the relevant fees for applications for room hire consistent with the amended policy.

11. That Council approves the following funding and works program, as per Table 7 of this report, to help remediate and improve the functionality of the Council Chambers:

Council Chambers – Remediation and Improvements

Remediation and Enhancement Works	(\$)
Carpet Replacement	14,000
Mould Remediation	25,000
Timber Panelling (acoustic based on Rous County Council improvements)	5,000
Chair Upholstering	24,000
Refurbish Timber Desks	12,000
Screen Replacement and Cabling	7,000
Total	87,000

Reserve Funding Source	Funding	Balance 30/6/27
Building Asset Renewals	47,000	160,000
Legals and Miscellaneous	40,000	133,000

12. That Council approves the leasing of 64 Crane Street, Ballina noting a potential rent value of \$40,000 per annum, with this income partially offsetting the loss from the vacancy of 89-91 Tamar Street, Ballina premises.
13. That Council notes the contents of this report in respect to the renewal of the Civica Altitude service agreement for 2026/27 (Year 3 of the current agreement) at a total cost of \$480,112 (ex GST).
14. That Council approves the implementation of a new Enterprise Asset Management System in 2026/27, as detailed in this report, based on the following funding and estimated expenditure:

Item	Amount (\$)
Project Management	70,000
AMS Implementation and Year 1 Licencing	215,000
Total	280,000

Reserve	Funding	Balance 30/6/27
Water Reserves	75,000	5,906,000
Wastewater Reserves	75,000	10,916,000
Road Contingency Reserve	130,000	1,200,000

15. That Council notes the contents of this report in respect to the new Microsoft licensing agreement, as per the procurement process conducted by the Northern Rivers Joint Organisation and approves Insight Enterprises Australia Pty Ltd as the preferred supplier at a total cost of \$388,700 (ex GST).

9.6 Delivery Program and Operational Plan - Adoption

16. That Council approves the exhibition, as per Section 610F (3) of the Local Government Act, and adoption of the new fee for the Residential Asbestos Disposal Program, of \$618 per tonne, as detailed in this report.

This fee is to apply for material of less than 10m² or less than 100kg per customer of correctly packaged non-friable asbestos generated within Ballina Shire.

17. That Council approves the inclusion of the following additional narrative in the 2026/27 Fees and Charges associated with the Northern Rivers Community Gallery:

Non-ticketed or non-commercial programs or events may be eligible for fee waivers, at the discretion of NRCCG management and are not available by request.

18. That Council approves the changes to the timing of the capital expenditure program for 2026/27 and 2027/28, as detailed in Attachments 2, 3 and 4 of this report.
19. That Council adopts the updated cemetery fees and charges, as per Table 8 of this report, based on updated supplier and NSW Cemetery and Crematoria NSW information.

Attachment(s)

1. Submissions - Delivery Program and Operational Plan 2026/27 to 2029/30 [⇒](#)
2. Capital Expenditure - Timing Review - General Fund [⇒](#)
3. Capital Expenditure - Timing Review - Water Fund [⇒](#)
4. Capital Expenditure - Timing Review - Wastewater Fund [⇒](#)
5. Submissions - YourSay Ballina Q&A - Delivery Program and Operational Plan 2026/27 to 2029/30 [⇒](#)

10. Civil Services Division Reports

10. Civil Services Division Reports

Nil Items

11. Notices of Motion

11. Notices of Motion

Nil Items

12. Advisory Committee Minutes

12.1 Finance and Facilities Committee Minutes - 10 June 2026

Attendance

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

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 were four people 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 Kinny

RECOMMENDATION

(Cr Simon Chate/Cr Damian Loone)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Simon Kinny

3. Declarations of Interest

- **Cr Phil Meehan** – declared an interest in Items 5.1 Debt Recovery Matters (Nature of Interest: non-significant, non-pecuniary) and 6.1 (Nature of Interest: non-significant, non-pecuniary). Cr Meehan has an association with one of the property owners mentioned in the reports. Cr Meehan will leave the room when Item 5.1 is discussed and will leave the meeting when Item 6.1 is discussed.
- **Cr Simon Chate** – declared an interest in Item 6.1 Debt Recovery Matters - Confidential (Nature of Interest: non-significant, non-pecuniary). Cr Chate knows one of the property owners mentioned in Item 6.1 and will leave the meeting when this item is discussed.
- **Cr Therese Crollick** – declared an interest in Item 6.1 Debt Recovery Matters - Confidential (Nature of Interest: non-significant, non-pecuniary).

Cr Crollick knows one of the property owners mentioned in Item 6.1 and will leave the meeting when this item is discussed.

- **Matthew Wood** – declared an interest in Item 5.5 Policy (Review) - Community Property Leasing and Licensing (Nature of Interest: non-significant, non-pecuniary). Mr Wood is a member of the Lennox Head Football Club committee.

4. Deputations

- **Peter Harding, President – Ballina Players** spoke in opposition to Item 5.5. – Policy (Review) – Community Property Leasing and Licensing

Change in the Order of Business

RECOMMENDATION

(Cr Simon Chate/Cr Erin Karsten)

That Council changes the order of business to deal with Item 5.5 following the deputation made.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Kinny

5. Committee Reports

5.5 Policy (Review) - Community Property Leasing and Licensing

RECOMMENDATION

(Cr Erin Karsten/Cr Therese Crollick)

1. That Council notes the contents of the submissions received as result of the exhibition of the revised Community Property Leasing and Licensing Policy, as per Attachment 3 to this report.
2. That based on the matters raised in the submissions, Council endorses the rewrite of the existing policy, as per Attachment Six to this report, and approves the adoption of that document as the new policy titled "Property Leasing and Licensing – Not-for-Profit Groups"
3. That Council write to all parties who made submissions, as well as all lessees and licensees impacted by this updated policy, on the contents of the policy.
4. The General Manager is authorised to submit a further report to Council, if any major anomalies are identified as part of the correspondence in point 3.
5. That statutory minimum rent is applicable for organisations with on premise liquor licenses, noting that the Ballina Hockey Club is charged 50% market value rent as they are helping to fund the replacement of the synthetic turf surface.

12.1 Finance and Facilities Committee Minutes - 10 June 2026

6. That Council receive a further report on options for the rent of preschools and community childcare centres.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Simon Kinny

Cr Phil Meehan left the meeting at 4.48pm.

5.1 Debt Recovery Matters

RECOMMENDATION

(Cr Kiri Dicker/Cr Damian Loone)

1. That based on the contents of this report, Council authorises the General Manager to arrange necessary steps to issue an order to 'Wind up' Shelly Beach Holdings Pty Ltd (ABN 20 149 898 126) to recover outstanding rates and charges owed to Council.
2. That Council notes the contents of this report in respect to the confidential debt recovery matters, which are the subject of a report elsewhere in this agenda.

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

Cr Phil Meehan returned to the meeting at 4.49pm.

5.2 Council Land Use - Corner Snapper and Hutley Drive, Lennox Head

RECOMMENDATION

(Cr Therese Crollick/Cr Michelle Bailey)

1. That Council notes the contents of the Planning Analysis, completed by Planit Consulting Pty. Ltd., as per Attachment 1 to this report, particularly the point in the report indicating a preference to focus on a longer-term outlook to further facilitate a fit for purpose development.
2. That Council continue to monitor the potential development of this site, with an action to be included in the Draft 2026/27 to 2029/30 Delivery Program and Operational Plan that includes a review of the development potential for this site, on a recurring basis, every two years.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Simon Kinny

5.3 Section 7.11 Developer Contributions Plans - Review

RECOMMENDATION

(Cr Kiri Dicker/Cr Erin Karsten)

1. That Council confirms the preferred approach for the current review of the Roads and Open Spaces and Community Facilities Plans is to apply to IPART for approval to levy a contribution on residential development that is above the current State Government cap.
2. That Council complete the review of the draft Roads and Open Spaces Contributions Plans based on a potential cap in the range of \$35,000 to \$40,000, which is a reasonable limit based on cost increases since the \$20,000 cap was introduced in 2010.
3. That the review of the draft Roads and Open Spaces and Community Facilities Contributions Plans is to also examine a phased in approach for the increased cap.
4. That Council supports the development of a Section 7.12 Contributions Plan to fund works that might not meet the Essential Works List required for IPART approved plans, along with other development not levied Section 7.11 contributions.
5. The Section 7.12 Contributions Plan is to also examine options to increase the level of developer contributions collected for car parking improvements.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Kinny

5.4 Policy (Review) - Financial Assistance (Hardship) - Rates and Charges

RECOMMENDATION

(Cr Michelle Bailey/Cr Simon Chate)

1. That Council adopts the revised Financial Assistance (Hardship) Rates and Charges 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, no further action is required.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Kinny

6. Confidential Session

Cr Phil Meehan, Cr Therese Crollick and Cr Simon Chate left the meeting at 5.00pm.

RECOMMENDATION

(Cr Damian Loone/Cr Michelle Bailey)

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.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Kinny, Cr Therese Crollick, Cr Simon Chate and Cr Phil Meehan

(The Council moved into Confidential Session at 5.01pm).

Open Council

RECOMMENDATION

(Cr Michelle Bailey/Cr Erin Karsten)

That Council move into Open Council and out of Committee of the Whole.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Kinny, Cr Therese Crollick, Cr Simon Chate and Cr Phil Meehan

(The Council moved into Open Council at 5.07pm).

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

6.1 Debt Recovery Matters - Confidential

RECOMMENDATION

(Cr Damian Loone/Cr Michelle Bailey)

1. That Council notifies the property owners of 4-6 Park Avenue, Alstonville (Assessment 263991), 79 Bayview Drive, East Ballina (Assessment 136102) and 107 and 109 Swift Street, Ballina (Assessments 185151 and 185169) that Council intends to proceed with the sale of property under Section 713(2) of the Local Government Act 1993.
2. That Council authorises the General Manager to proceed with the sale of properties in point one by public auction and determine a reserve price, based on market valuation, should the ratepayers not settle the debt prior to the public auction date.

FOR VOTE - All Councillors voted unanimously.

12.1 Finance and Facilities Committee Minutes - 10 June 2026

ABSENT. DID NOT VOTE - Cr Simon Kinny, Cr Therese Crollick, Cr Simon Chate and Cr Phil Meehan

Adoption of Recommendations from Confidential Session

RECOMMENDATION

(Cr Damian Loone/Cr Michelle Bailey)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Simon Kinny, Cr Therese Crollick, Cr Simon Chate and Cr Phil Meehan

MEETING CLOSURE

5.08pm.

RECOMMENDATION

That Council confirms the minutes of the Finance and Facilities Committee meeting held 10 June 2026 and that the recommendations contained within the minutes be adopted.

Attachment(s)

Nil

13.1 Mayoral Meetings

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

13.1 Mayoral Meetings

Councillor Sharon Cadwallader

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

<u>Date</u>	<u>Meeting</u>
30 May	Ballina Lighthouse & Lismore SLSC Presentation Night 2026
1 June	Mayor and General Manager weekly meeting
1 June	Byron Shire Councillor David Warth meeting
1 June	LGNSW Webinar – Crown Land Management Bill 2026
1 June	Country Mayors Association of NSW (CMA) Ballina meeting discussion
2 June	Mayor social media filming – Thank A First Responder Day
2 June	Bi-monthly NSW Reconstruction Authority & Ballina Shire Council meeting
2 June	Richmond Valley Woodcrafters Club Inc meeting with Staff - Workshop facility
3 June	Reconciliation Week Recognition event
3 June	Annual General Meeting of the Ballina Chamber of Commerce
4 June	Country Mayors Association of NSW (CMA) meeting with The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government
4 June	Mayor Community Connect social video filming
4 June	Ballina Marine Rescue Community Memorial Service planning meeting
5 June	Lennox Head Community Tree Planting Day 2026
5 June	Ballina Return and Earn Depot Grand Opening Celebration
5 June	Ballina Players - Opening Night of A Chorus Line
10 June	Emmanuel Anglican College 'Emmanuel Day' Celebration
10 June	Thank A First Responder Day Morning Tea
10 June	Finance and Facilities Committee meeting
12 June	Ballina Hospital Auxiliary 90th Birthday Celebration
13 June	Love Lennox Festival - opening address
15 June	Australian Coastal Councils Association (ACCA) meeting (Online)
15 June	Mayor and General Manager weekly meeting
15 June	Alstonville Racquet Club proposed padel court project meeting with Staff
16 June	Public Citizenship Ceremonies (two held – morning and afternoon, 33 new citizens)
17 June	Rous County Council Meeting
17 June	Social Innovators Forum Youth Presentation to Councillors
17 June	NSW Trade Mission: North Coast - Business Networking Dinner
18 June	Northern Rivers Regional Steering Committee Meeting
18 June	Community Safety Precinct Committee (CSPC) meeting, Lismore
18 June	Memorial for Wayne Thomas, past President of Ballina East Lions Club
18 June	Ballina Marine Rescue Community Memorial Service planning meeting
18 June	Wardell Progress Association meeting
19 June	Country Mayors Association of NSW (CMA) Board Meeting (Online)
21 June	Marine Rescue Fundraising event, Saltbush
22 June	Mayor and General Manager weekly meeting
23 June	Audit Risk and Improvement Committee Meeting
23 June	Waterways Advisory Group Meeting
24 June	Ballina Players Fundraiser for Paradise FM 101.9
24 June	BCCI Business After Hours Networking - Hosted by North Coast Community College
25 June	Ordinary meeting

13.1 Mayoral Meetings

25 June Northern Rivers Community Gallery – July/August Exhibitions Launch Event

RECOMMENDATION

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

Attachment(s)

Nil

14. 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:

14.1 Licence Agreements - Water Reservoirs - Commercial Terms

As outlined in Item 9.1.

14.2 Land Acquisition - North Creek Road Widening - Commercial Terms

As outlined in Item 9.5.

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.

14.1 Licence Agreements - Water Reservoirs - Commercial Terms

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993. which permits the meeting to be closed to the public for business relating to the following:-

- d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

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 due to ongoing commercial negotiations and the release of any information could prejudice those negotiations.

14.2 Land Acquisition - North Creek Road Widening - Commercial Terms

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993. which permits the meeting to be closed to the public for business relating to the following:-

- d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

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 the contents of the report relates to compensation payable for the part acquisition of a property.