

1. **Attendance and Apologies**

Graham Shaw (Lennox Head Residents Association)

2. **Declarations of Interest**

3. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held 18 May 2015 were distributed.

RECOMMENDATION

That the Minutes of the "B" Ward Committee held 18 May 2015 be taken as read and confirmed.

Ballina Shire Council "B" Ward Committee Minutes 18 May 2015 at 4.30 pm

1. Attendance and Apologies

Members

Cr David Wright (Mayor)
Cr Sharon Cadwallader (Chair)
Cr Jeff Johnson
Cr Keith Williams

Lyn Walker, BES
Alan Veacock, Ballina Heights Residences Action Group
Darel Vidler, Lennox Head Combined Sports Association
Shaun Eastment, Lennox Head Landcare
Malcolm Milner, Ballina Environment Society
Fran Byrne, Ballina Coastcare
Lorraine Leuckel, Marine Rescue Ballina
Lisa Hawkey, Lennox Head Chamber of Commerce
Ian Duncan, Newrybar

Council Staff

Steve Barnier, Group Manager Strategic and Community Facilities
John Truman, Group Manager Civil Services

Apologies

Berenice Roberts, Lennox Care and Southern Cross K-12 School
Graham Shaw, Lennox Head Residents' Association

2. Declarations of Interest

Nil

3. Confirmation of Minutes

Ms Shaun Eastment clarified that she was in attendance at the meeting on 16 March 2015 as a representative of both Lennox Head Landcare and Lennox Head Residents Association.

That the Minutes of the "B" Ward Committee held on 16 March 2015 be taken as read and confirmed, with the adjustment noted above. (Shaun Eastment/Darel Vidler)

4. Deputations

In accordance with the email advice provided to members on 13 May 2015, representatives of the Pacific Pines Estate development in Lennox Head were welcomed to the meeting.

Ballina Shire Council "B" Ward Committee Minutes 18 May 2015 at 4.30 pm

Mr Paul Rippon from Clarence Property Corporation (the land owner) and Mr Damien Chapelle (the landowner's planning consultant) provided an overview of the estimated timeline and sequencing for undertaking the approved development. They indicated that commencement of civil works associated with Stage 1A (51 residential lots) is imminent, with those lots being available to the market within about six months.

Preloading (to allow settlement) of the proposed road linking Montwood Drive and Hutley Drive would then follow, with road construction likely to take approximately 18 months following the Council's grant of a construction certificate.

The proponents are engaging proactively for that work with Council staff to enable delivery of open space infrastructure, being the Pacific Pines playing fields, as soon as is practicable.

In closing, Mr Rippon confirmed his availability to be contacted by community groups or members who wished to enquire about the project.

5. Outstanding Business

(a) **Williams Reserve – Conflict with users of Clubhouse and Market Attendees – Access Ways**

The information provided in the report was noted. Mr Vidler acknowledged that communication between the reserve users and market coordinators is now happening effectively, with bi-monthly meetings scheduled.

(b) **Tintenbar Oval Pavillion**

The information provided in the report was noted.

6. Business with Notice from Members

Nil.

7. Council Documents on Exhibition

The Mayor, Cr Wright advised the Committee that the public exhibition of the Council's draft Delivery Program and draft Operational Plan for 2015/16 was about to commence and noted the associated public meetings which are scheduled to be held.

Cr Wright confirmed that community submissions which are received by Council in response to this exhibition will be included for information purposes in the next agenda for Ward Committees to which the submission relates.

Mr Vidler referred to the Council's recently adopted policy relating to the use of shipping containers for storage purposes on public land. Mr Truman briefly explained the context for developing the policy and the temporary approval provisions which will be available. Consideration based on merit and particular

Ballina Shire Council "B" Ward Committee Minutes 18 May 2015 at 4.30 pm

circumstances will be given to containers which have previously been put in place. Further, information concerning the new policy will be made available by Council to authorised users of public land.

In an associated matter, Dr Walker noted that she is aware of instances where bulk collection waste containers have been placed on private property so as to obstruct access to authorised car parking spaces. She cited the example of the IGA supermarket in Lennox Head and asked that the matter be investigated.

The list of Council documents which have recently been exhibited for public comment was noted.

8. **Business Without Notice**

(a) **Mr Veacock – Deadmans Creek Road**

Mr Veacock noted the Council's recent decision to lower the level of Deadmans Creek Road. He foreshadowed that his Group's preferred position is likely to be the raising of the road level and culvert installation.

Mr Veacock also indicated that further representations are likely to be made by his Group to Council concerning a traffic management scheme for the Ridgeway in Ballina Heights Estate.

(b) **Ms Byrne – Coastal Recreation Pathway**

Following a request from Ms Byrne, Mr Truman was able to provide the Committee with a status report concerning this project.

(c) **Ms Byrne – Shaws Bay Coastal Zone Management Plan**

Sought clarification regarding the status of this plan. Staff took this on notice and the following advice is now provided:

Council resolved at its August 2014 Ordinary Meeting to place the Shaws Bay CZMP on public exhibition. At the expiry of the exhibition period there were three public submissions received by Council. Following the review of the submissions the Plan has been finalized and sent to the Office of Environment and Heritage (OEH) for comment as required under the CZMP Guidelines prior to submission to the Environment Minister for Certification. Council has also written to the key stakeholders nominated in the Plan being Crown Lands and the Department of Primary Industries (DPI) requesting a letter of support for the Plan as also required under the Guidelines. To date a letter of support has only been received from DPI.

The OEH has advised Council that due to the limited resources in their local office the review of the Plan has been delayed and have given Council no timelines for the review to be completed.

Given the importance of progressing the Plan Council Officers have submitted two applications for grant funding to the OEH under the Estuary Management Program for Actions 1 'Control of East arm bank erosion and creation of sandy beach' and

Ballina Shire Council "B" Ward Committee Minutes 18 May 2015 at 4.30 pm

Action 2 'Dredging of main section of Shaws Bay' nominated in the Plan, refer to attached Table 2 detailing the Actions and implementation Program from the Plan.

Once advice has been received from the OEH the Plan will be submitted back to Council for its information prior to submission to the NSW Minister for the Environment for certification.

(d) **Ms Byrne – Vehicular access linking Hindmarsh Street and Banksia Lane in East Ballina**

Expressed concern that Council's resources are being wasted in attempting to maintain this roadway to a safe trafficable standard without first addressing the drainage in that locality.

(e) **Ms Eastment – Council's Community Donations Program**

Sought clarification concerning notification for the 2015/16 grant program.

(f) **Mr Vidler – Pacific Pines Playing Fields**

Sought clarification of the standard required for this infrastructure prior to it being "handed over" to Council. This request was taken on notice by staff and a report will be presented to the Committee's next meeting.

(g) **Mr Duncan – Newrybar**

Provided the Committee with an update concerning the land use transition which is occurring within Newrybar Village, increased patronage of the Newrybar Hall and that he had been endeavouring to liaise with relevant Council staff concerning maintenance and cleaning of the public amenities adjacent to the hall.

Mr Duncan expressed his disappointment regarding the prominent siting of a building, presently under construction on a ridgeline adjacent to Martins Lane. He feels the building's siting and design are insensitive when considered in the context of the planning controls previously put in place for this locality.

(h) **Ms Hawkey – "Love Lennox" Festival**

Provided an update on planning for the "Love Lennox" festival and was enthusiastic about the strong level of community interest and support which is being generated.

(i) **Ms Hawkey – Bicycle Rack, Ballina Street, Lennox Head**

Brought the Committee's attention to a public bicycle rack located on the footpath adjacent to "Seed and Husk". The concern is that the rack is unsightly and represents a trip hazard. The request is for removal of the existing rack and its replacement with a more appropriate structure.

On a related note, Ms Hawkey commented that the health of the "Wishing Tree" located in Ballina Street, Lennox Head appears to be deteriorating and enquired whether it might be investigated.

Ballina Shire Council "B" Ward Committee Minutes 18 May 2015 at 4.30 pm

(j) **Ms Leuckel – Ballina Marine Rescue Tower**

Raised concern about significant delays and inconvenience associated with the reinstatement of the public amenities adjacent to the Marine Reserve facility arising from their damage by fire. This request was taken on notice by staff and Mr Truman's response is as follows:

"I have consulted staff and I can advise that we expect to open the facility again this Thursday (21 May 2015). Further to that good news, I have reviewed the length of time for the closure and I am satisfied the work could not have been completed earlier. The amount of damage from a fire was extensive and this has required the coordination of a number of trade services to enable the repairs to be completed. The work commenced immediately after the fire and of one of the reasons the work has taken this amount of time was to enable the curing of the new mortar before painting. While we have not had any inquiries from the Coast Guard until yours in relation to this issue, I have suggested to staff that in hindsight we could have contacted the Coast Guard to explain what our response to the fire would entail. However it is also the case staff were aware that the access was able to be maintained to the ladies facility and the public facilities at the Surf Club were available in reasonable proximity while we attend to the repairs."

Ms Leuckel also expressed her organisation's frustration regarding the Government's lack of funding commitment to replace the existing Marine Reserve building. The Mayor, Councillor Wright assured the Committee that all reasonable attempts were being made by Council to secure the necessary funding.

(k) **Mr Milner – Building Height Provisions, Lennox Head Town Centre**

Enquired about action being taken to review the provisions of Council's Development Control Plan arising from the Council's deliberations concerning DA 2014/609, being the proposed redevelopment of 45-49 Ballina Street, Lennox Head.

Mr Barnier advised that staff resources are yet to be applied to respond to the Council's decision due to other competing demands within the work program.

(l) **Cr Cadwallader – Lennox Head Heritage Signage**

Congratulated the members of the Lennox Head Resident's Association Heritage Committee for its efforts to successfully complete the initial stages of the interpretive signage project.

9. Next Meeting

Monday 20 July 2015 at 4.30 pm

MEETING CLOSURE

6.00 pm

4. **Deputations**

5. **Outstanding Business**

(a) **Shipping Containers on Public Land Policy**

The adopted policy is publicly available and relevant stakeholders affected by the policy will be contacted by Council staff in due course.

(b) **Obstruction of Car Parking Spaces IGA Lennox Head**

An inspection was undertaken at 80-84 Ballina Street, Lennox Head. During this inspection it was observed that:

- (a) An approved car parking space had been utilised to store refrigeration equipment
- (b) The loading dock was being used to store waste bins as well as what appeared to be waste materials, including packing crates, milk crates and other materials; and
- (c) The approved commercial waste bin enclosure was not being used as approved.

Action is now underway to ensure that the landowner and tenants comply with development consent DA 2002/994.

(c) **Vehicular Access Hindmarsh Street and Banksia Lane**

Information to be provided at the meeting.

(d) **Pacific Pines Playing Fields**

Council will take acceptance of the required infrastructure noted in the consent in a condition that is suitable for use by the community.

(e) **Bicycle Rack, Ballina Street, Lennox Head**

Information to be provided at the meeting.

(f) **Tree at Ballina Street, Lennox Head**

Information to be provided at the meeting.

(g) **Building Height Provisions, Lennox Head Town Centre**

Building height and form matters incorporated in review of Precinct D as detailed in DCP Chapter 6c. Anticipate DCP issues being reported to the Council in August.

6. **Business with Notice from Members**

Nil

7. **Council Documents on Exhibition**

The following is a list of recent documents that have been placed on exhibition in the period since the last meeting.

- 2015 Playground Upgrade Plan – closing date 3 June 2015
- Backyard Burning Policy (Review) – closing date 3 June 2015
- Draft Delivery Program 2015/16 – 2018/19 – closing date 20 June 2015.
- Child Protection Policy Review – closing date 8 July 2015.
- Investments Policy Review – closing date 8 July 2015.
- Planning Proposal BSCPP 15/003 – NSW Roads and Maritime Services Highway Service Centre Site, Teven Pacific Highway Interchange West Ballina, Reconfiguration of Site Boundaries Subject to Additional Use Provisions Permitting Highway Service Centre Development – closing date 10 July 2015.

8. **Business Without Notice**

This item provides an opportunity for updates and / or questions to be tabled by the members.

9. **Next Meeting**

Monday 21 September 2015.