



Our Ref: GF87R240-003
TRIM Ref: DOC15/135064

10 August 2015

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: John Truman

Dear John,

Re: Redevelopment of the SE Precinct of Lake Ainsworth Reserve

I refer to your letters of 30 March, 9 June and 17 July 2015 regarding traffic management arrangements for the SE precinct of Lake Ainsworth Reserve following Council's resolution to close the eastern access to Lake Ainsworth Sport & Recreation Centre (LAS&RC).

Department of Primary Industry – Lands (the department) is supportive of a road west of the caravan park to provide access to the constructed section of the Camp Drew (Council Public) Road north of the park. This option is consistent with the Lake Ainsworth Management Plan. The department believes that agreement to a road reserve west of the park and closure of the unconstructed road reserve through the park may be achieved at nil compensation given the benefits of the proposal.

In terms of financial contribution to construction of the proposed western road, the department does not have funding available for road construction. The NSW Crown Holiday Parks Trust has also informed the department it cannot commit funds at this stage.

In response to representations by the Minister for Sport, the Hon Stewart Ayers, concerning closure of the eastern access and provision of an easement to service LAS&RC. While an easement could be granted under the *Crown Lands Act 1989*, the Hon Niall Blair Minister for Lands and Water has encouraged Office of Sport and LAS&RC to reach agreement with Council as Reserve Trust Manager, in the first instance.

The department is mindful of the funding implications raised by Council and is committed to exploring a range of options that may provide scope to establish a new western road on a cost effective basis in conjunction with NSW Crown Holiday Parks Trust. The department requests that further negotiations take place to explore alternative funding opportunities with Council and other relevant stakeholders.

In the meantime please don't hesitate to contact me by telephone: (02) 6642 9217 or by email; kevin.cameron@crowmland.nsw.gov.au.

Yours sincerely

Kevin Cameron
Manager Far North Coast
NSW Department of Primary Industry - Lands

CC: Jim Bolger, NSW Crown Holiday Parks, Gavin Speak, Office of Sport.

GRAFTON OFFICE
Level 3, 49-51 Victoria Street
Grafton NSW 2460
T: 1300 886 235
E: Graftoncrownlands@crowmland.nsw.gov.au

Please address all correspondence to:
Crown Lands (Grafton)
PO Box 2185
DANGAR NSW 2309
ABN 42 860 678 701 www.crowmland.nsw.gov.au



Our Ref: CDOC15/29926

Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Dear Mr Hickey

Re: Lake Ainsworth Sport and Recreation Centre Lennox Head

I refer to earlier correspondence and meetings between Officers of Ballina Shire Council and the Office of Sport regarding access to the Sport and Recreation Centre via the east side of Lake Ainsworth.

This is a request to Council to defer any action to close the road to allow the Office of Sport more time to prepare a proposal for Council's consideration.

The Lake Ainsworth Sport and Recreation Centre has been an integral part of the Lennox Head/ Community for more than 60 years and is committed to working in partnership with Ballina Shire Council and Crown Lands to conserve the environment around the Lake.

We intend to submit a proposal to Council for the access road on the Eastern side of Lake Ainsworth and look forward to the opportunity to work with you to find a mutually satisfactory outcome to this matter.

In the interim and to show good faith I confirm that subject to funding, it is our intention to reach an agreement including the following commitments:

1. The Office of Sport will reconstruct the existing eastern access road to provide access only to the Sport and Recreation Centre.
2. The re-designed road will be developed in consultation with Council to address environmental and safety concerns.
3. The new road will reduce traffic to a single lane including design measures to prevent parking. Any illegal parking will be managed in partnership with Council.

Sport and Recreation
Level 3, 6B Figtree Drive, Sydney Olympic Park NSW 2127 | Locked Bag 1422, Silverwater NSW 2128
T 02 8754 7900 | F 02 8754 7911 | sportrec@sport.nsw.gov.au | dsr.nsw.gov.au | ABN 31 321 190 047

4. Ballina Shire Council will be responsible for the demolition of the parking area adjacent to the toilet block north of the Surf Club.
5. We will seek an agreement to share the cost to restore and revegetate areas degraded by urban encroachment beside the Lake and Beach with Council.
6. Ballina Council will be responsible for the proposed relocation of the overhead electricity, the existing Surf Club and associated parking.

The Office of Sport is predominantly funded to provide sporting facilities/services and therefore funding applications will be made to Treasury and the Public Reserves Management Fund Program (Crown Lands) to meet the re-construction costs.

We will also work closely with John Truman, Group Manager of Civil Services Group to finalise the details of the proposal to Council.

I hope you will be able to organise a time for me to present an informal briefing to Councillors prior to the next Council Meeting on 24 September 2015.

I look forward to hearing from you soon and please call me on 8754 7930 to discuss any queries.

Yours sincerely



Paul Doom
Executive Director
Sport & Recreation
11 September 2015

Cc Kevin Cameron, Area Manager, Department of Primary Industries, Lands

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

Delivery Program Asset Management

Objective To report on the outcomes from the recent public consultation process in relation to the recommendations contained in the Lake Ainsworth Masterplan compiled by Complete Urban, 2014.

Background

Council considered a report on a proposed plan, as prepared by Complete Urban Pty. Ltd, for improvements to the south eastern precinct of Lake Ainsworth, at the Facilities Committee meeting held on 19 June 2014.

The Committee subsequently recommended as follows:

Item 4D: That Council authorises for public exhibition the Complete Urban report and recommendations including:

A. Precinct Plan: *That the strategic direction for the renewal and upgrade of the Lennox Head Surf Club, be the demolition of the current facility and construction of a new facility on the site to the south of the current facility.*

B. Eastern road Options: *Council supported option to redesign the Eastern road as an access only road as per Option 2 of the Complete Urban concept plans for the eastern road.*

At the 26 June 2014 Ordinary meeting Council then resolved (Item 4.1 Community Consultation options) to support the Facilities Committee recommendations, with the following addition.

Include within the public exhibition material, the preferred road layout for the Lake Ainsworth Precinct (including the eastern road) as per the endorsed 2005 Lake Ainsworth Master Plan.

The public consultation process has now been completed and this report provides an overview of the submissions received, along with identifying any other matters raised during the exhibition period.

The Complete Urban report, as exhibited, is available on Councillor's IPADs and hard copies can be obtained by contacting the General Manager's office.

The first attachment to this report is a summary document that was produced to assist with the exhibition process.

Key Issues

- Feedback from the consultation process
- Road network
- Facilities
- Car parking
- Options available

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

Information

The consultation process included Council's standard forms of community consultation such as media releases, information on the Council website, advertising, Ward Committees etc.

Other activities included direct correspondence to key stakeholders including Crown Lands and NSW Sport and Recreation, along with staff attending a meeting of the Lennox Head Residents Association (LHRA) on 3 November 2014.

The LHRA also set up stalls outside the Lennox Head IGA store and at Lake Ainsworth itself on the morning of 8 November 2014, with staff in attendance, to help distribute the exhibition material and respond to resident questions.

As a result of this process Council has received a total of 65 written submissions and a copy of those submissions is included as a separate attachment to this report.

The consultation process has given rise to an array of responses from individuals, families and community / special interest groups. Five main themes have been identified as part of the submission process and they are summarised as follows:

1. *Eastern road*

That Council should either:

a. Support the closure of the Eastern road entirely (with emergency/maintenance provisions). Those in support of this strongly support the Council endorsed Lake Ainsworth Master Plan from 2005:

or

b. Maintain access along the eastern road for the entire community and not limit it solely for the use of the NSW Lake Ainsworth Sport and Recreational Centre.

2. *Environment*

Maximising improvements to the health of the Lake should be considered the number one priority.

3. *Car Parking*

Concerns raised over the lack of adequate parking, particularly by people who are not supportive of the eastern road closure.

4. *Recreational Facilities and Boardwalk*

Not supported by the majority of submissions. An alternative minimalistic approach was identified with support for additional BBQ facilities and picnic tables.

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

5. *Off Leash Dog Walkers*

People not supportive of the eastern road closure expressed concerns over the mixing of dogs and people in the eastern precinct along with the extended access to the off leash dog beach. This was also raised by several people who attended the information session outside the IGA and Lake Ainsworth.

These issues are now expanded upon in the comments that follow.

1. Eastern road – close or not too close?

Whether or not the eastern road should be closed or not is an issue that invokes strong opinions, whether supportive or not supportive of the closure. Of the 65 written submissions 55 made direct reference to the eastern road with 33 calling for the complete closure of the road (allowing access for emergency and maintenance vehicles only).

The majority of the 33 responses that supported the closure of the eastern road, including the Ballina Environment Society (BES) and the LHRA have strongly indicated that Council is obligated to adopt the endorsed Lake Ainsworth Master Plan, 2005 (Road Option Two). This option not only recommended the eastern road closure but also a new road through the existing road reserve (through the middle of the caravan park) joining Ross Street in the south through to Camp Drewe Road in the north. That road reserve is highlighted in the following diagram (Figure 1) with the Lake Ainsworth Caravan Park being the salmon coloured precinct at the bottom of the diagram.

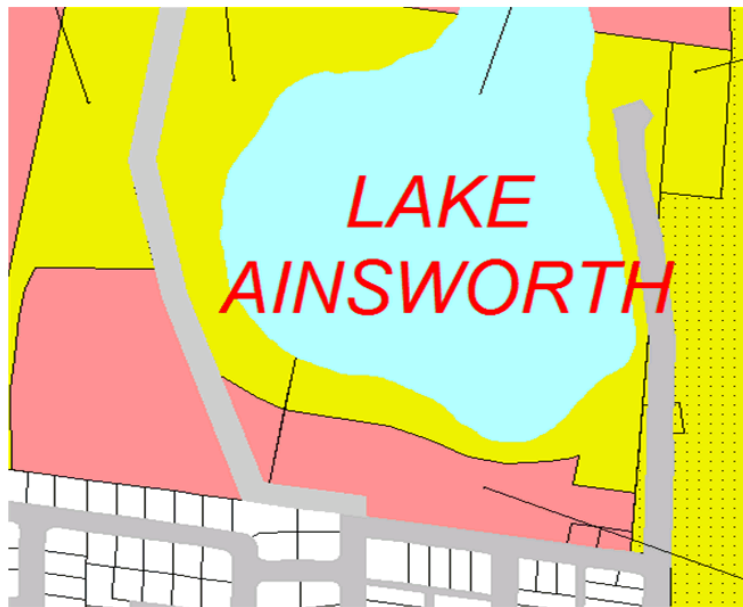


Figure 1 – Land layout for Lake Ainsworth Southern Precinct

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

Further details will be provided later in this report which explores the relevance of the Master Plan 2005 to the contemporary issues of the present.

The remaining 22 respondents that referred directly to the eastern road were opposed to the closure of the road. Some of the reasons and concerns raised in those 22 submissions included:

- Loss of amenity and reduced access to a unique community asset
- The potential for greater conflict between beach goers and dog walkers with the need to take dogs on leashes to the approved off leash area located at 7 Mile Beach
- The potential for more conflict between dog walkers and people picnicking or accessing the eastern foreshore of the Lake
- Greater potential for faecal pollution with dogs in and around the lake surrounds
- The removal and reduction of car parking facilities (despite additional ones being proposed) through the road closure. Some have questioned the Complete Urban car parking numbers
- Lack of direct access to the eastern side of the Lake by families with young children including some elderly folk needing to walk much further with a lack of car parking in the vicinity
- The general concentration of people and visitors at the south eastern corner of the precinct
- Increased concerns with safety, traffic congestion and pedestrians in and around the south eastern corner
- Increased interaction of people with and without dogs in the south eastern corner
- Greater future car parking pressure with increased popularity and improved surf club facilities
- Future concerns with spill over parking into local streets
- Concern that closure of the road is based on a lack of evidence to support the environmental view that the road has a direct impact on the water quality and health of the Lake.

Also irrespective of support given to the closure of the road, or not, it was clear that limiting access solely for access to the NSW Sport and Recreational Centre was not supported by the majority of the respondents.

2. Environment and Health of the Lake

Of the 65 submissions 32 made direct reference, or suggestions in relation to maintaining or improving the health of Lake Ainsworth.

There are those who are of the view that the only way to ensure the Lake remains healthy is through the complete closure of the eastern road.

The Ballina Environment Society for example has stated that "*maximising the health of the lake is through complete road removal such that the riparian zone can be repaired*".

Those in the community who would prefer to see the road left open to all of the community either hold the view that:

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

- The eastern road has had no detrimental impact on the Lake and there is no evidence to suggest the alternate view or
- Those who believe there are alternative ways to secure the health of the Lake without necessarily closing the road entirely.

3. Car Parking Concerns

There were 19 submissions that made reference or raised concerns with the proposed and future car parking initiatives, with some questioning the number of car parks required to offset the actual loss of car parking through the closure of the eastern road.

Interestingly those most concerned with the current status of car parking, including the proposed car parking arrangements, were those generally not supportive of the road closure citing safety concerns, increased traffic congestion, lack of direct access to the designated off leash area and overall concern with a decrease in access opportunity for families in particular on the eastern foreshore.

4. Recreational Facilities and Boardwalk

Whilst there were a few submissions that were in support of unobtrusive exercise stations, the vast majority of submissions did not support the recreational facilities proposed, which included the children's play area and boardwalk. The common feedback received was that Council should "keep the area as natural as possible".

5. Off Leash Dog Walkers

There were 13 submissions received on this issue with a number of people also raising this concern to Council staff at the information sessions conducted in Lennox Head.

The inability to directly access the designated off leash dog area conveniently, via the existing car park provisions on the eastern side of the Lake was opposed. In raising this issue most were also concerned that the south eastern area would become very congested with the potential for greater conflict to occur between dog walkers and non-dog walkers.

Lake Ainsworth Master Plan 2005

In considering the submissions it is important to have a clear understanding of the Master Plan, 2005. This document, referred to as the *Lake Ainsworth Crown Reserve Master Plan, 2005 (Connell Wagner)* is available on Council's website at the following location:

www.ballina.nsw.gov.au / Your Council / Council Documents

Some of the key elements of this document are:

- a) Supports the closure of the eastern road (apart from emergency/maintenance provisions)

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

- b) Rehabilitates the existing road with a shared path suitable for emergency access provisions to the NSW Sport and Recreational Centre and maintenance access from Council
- c) Provides for a new road through the middle of the caravan park (through the existing road reserve) connecting Ross Street to Camp Drewe Road (the western road).

It is important to acknowledge that this option, which is referred to as Option Two in the Master Plan 2005, is inconsistent with the preferred option exhibited, as endorsed by the current Council, as part of the Complete Urban report.

In keeping with the 26 June 2014 Council resolution, the exhibition material also displayed included Option Two of the 2005 Master Plan. This has allowed the community to review the Complete Urban documentation together with the recommendation from the Master Plan 2005.

In respect to the road through the middle of the caravan park, there has been some commentary from individuals and community interest groups that Council does not recognise or accept that the Crown were indeed supportive of the Master Plan 2005.

It is correct to state that when Council was considering its resignation as Reserve Trust Manger for the Crown Reserve Caravan Parks, during 2009/10, the Crown included in their correspondence a commitment that they would review the Plan of Management for the Lake Ainsworth Caravan Park and “a fundamental premise of the plan will be the option 2, central road corridor as provided in the Master Plan”.

A copy of that correspondence from the then Department of Lands, dated 26 February 2010, is included as the second attachment to this report (the community submissions are included as a separate attachment).

It is Council's understanding that a specific Plan of Management for the Lake Ainsworth caravan park has not been completed, albeit that the North Coast Holiday Parks Trust, as current managers of this facility may well have completed long term development plans for the park.

It remains the opinion of Council staff that even though the Department of Lands correspondence dated 26 February 2010 makes some reference to Departmental support for the road through the caravan park, this was not an option that had total support in Crown Lands, primarily due to the impact the road would have on the operation of the caravan park. The third attachment to this report is the latest correspondence from NSW Trade & Investment (Crown Lands), dated 21 November 2014, which states that:

“Crown Lands confirms it does not support the development of the existing unconstructed public road reserve within the Holiday precinct. Crown Lands concurs with the proposed design improvements to the southern road corridor separating the Holiday Park Precinct from the lake foreshores. In this regard the Crown Lands preference is that a continuity of public road is established from the end of Pacific Parade through to the existing Camp Drewe. This would facilitate closure of the unconstructed and unnecessary section of Public Road within the Holiday Precinct”.

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

Another important point with this comment is that Crown Lands is highlighting that there is actually no formal public road reserve currently connecting Pacific Parade to Camp Drewe Road at the southern end of Lake Ainsworth. This is highlighted in Figure 1 earlier in this report. Therefore if the southern road is to be retained one important action that needs to be taken is to formalise this access through the creation of a road reserve.

This could be conducted in conjunction with closing the road reserve through the caravan park, assuming Council does not wish to amend its preferred option and construct the road through the caravan park.

If the proposal to close the road reserve is supported in principle by Council, one issue that potentially needs further consideration is whether or not some form of pedestrian access through the park should be retained.

From an amenity perspective this would be preferred as it would provide convenient access to the adjoining residents and those visitors who need to park at the western end of the precinct.

However this may be a concern to the park operators who have responsibilities for the security and amenity of their guests and it may create operational issues.

Whilst addressing a range of issues considered in the Lake Ainsworth Management Plan, 2002 the Crown Reserve Master Plan, 2005 whilst adopted by Council, was never formally adopted by the State Government as a statutory crown reserve management plan.

The Council resolution to exhibit the Complete Urban report with the preferred option being the reduction of the eastern road to an access road to the Department of Sport and Recreation has to some extent also superseded the Master Plan 2005.

The closing paragraph of the Master Plan, 2005 also recognised this by stating the following:

"The Master Plan that is the subject of this report is essentially a guide for planning action only and much of the detail of these planning initiatives including road design and any related water sensitive design will be required to be developed during the design phase work associated with implementation".

NSW Trade & Investment in their submission also reinforce their support for the *"Ballina Coastal Reserve Plan of Management (PoM) adopted by the Minister 2003 (updated 2011). The PoM supports implementation of the **Management Plan for Lake Ainsworth** prepared by Ballina Council".*

This terminology is important as NSW Trade & Investment is confirming their support for the Management Plan for Lake Ainsworth, which was completed in 2002, as distinct from the Master Plan 2005.

Lake Ainsworth Management Plan 2002

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

In the context of reviewing the obligations to Council in relation to the Crown Reserve Master Plan, 2005 it is important to understand the context and recommendations contained in the *Lake Ainsworth Management Plan, 2002*.

This document is available on Council's website at the following location:

www.ballina.nsw.gov.au / Your Council / Council Documents

The premise of the Lake Ainsworth Management Plan 2002 was to outline the "management strategies and actions that should be implemented to help preserve and enhance Lake Ainsworth". This document had a very strong focus on improving the water quality at the Lake. Some of the key strategies underlining the Management Plan included:

- Management Structure
- Water Quality
- Coastal Dune Stability
- Traffic Management
- Recreation
- Ecology
- Planning and Development
- Erosion and Sedimentation
- Education
- Water Level and Flooding
- Aboriginal Heritage

Some of the main recommendations arising from the Management Plan have been reproduced below.

Lake and Groundwater Quality (page 28)

- Construct Water quality improvement systems such as mini wetlands at the outlets of the existing stormwater systems
- Cultivation of reed beds around the lake foreshore. While they have the potential to reduce nutrients from the lake, they may also provide additional benefits such as reducing foreshore erosion and providing habitat aquatic fauna.
- Treatment of runoff from road/parking areas through filter swales
- Tighter controls and policing of controls, to reduce the amount of faecal contamination from domestic dogs. In this regard no animals should be allowed in the lake at all and dogs should only be allowed in the immediate area if leashed.
- Encourage swimmers and sun bathers to 'cover up' as a means of sun protection rather than using excessive amounts of sunscreen.

Note: The management of algal blooms is a separate issue (and ongoing) to the general water quality improvement initiatives being considered as part of this consultation review and report.

Coastal Dune Stability

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

The aim of coastal dune management was to establish an effective buffer with coastal dunes to protect the lake. Apart from continuing to implement dune rehabilitation in accordance with established management strategies two of the recommendations are worthy of comment;

- Relocate/close the 4WD access – This action has been completed.
- Remove and relocate the existing power line along the eastern road and locate underground.

There were a number of public submissions calling for the removal of the overhead power lines. This would mitigate the need for Essential Energy to prune around the overhead powerlines as is currently the case.

Note: Preliminary discussions with a local Level 1 Electrical contractor have indicated that replacing the overhead electrical powerlines with underground lines is feasible.

Traffic Management

In addressing the traffic management issues the Management Plan proposed the southern foreshore road, which currently connects to the existing unsealed road (Camp Drewe Road) was to terminate at a cul-de-sac, with a new connection road to western access being provided off Ross Street and aligned around the western end of the caravan park.

Importantly this recommended realignment (in conjunction with removal of the 4WD access) was seen as a way of removing traffic not directly associated with the Lake. This recommended option of the Management Plan was documented as Option One in the Master Plan, 2005. However this option was then not supported by Council as the preferred option in 2005, due to a number of reasons including objections from residents in Barrett Drive and the overall cost of the works.

In relation to the eastern road the Management Plan 2002, recommended that (page 42):

- *...as far as practical, picnic facilities be located to the west, between the road and the lake, so there is no need for children to cross the road. Although limited it is also suggested that the road be slightly realigned so as to introduce gentle curves. Such realignment can be achieved in limited spaces by a very slight shift to the east. No trees are to be removed for this, and no excavation into the base of the dune is proposed”.*
- *In the vicinity of the existing amenities and 4WD track, the turnaround area is to be reconfigured to provide a minimum sized cul-de-sac with parking optimized. The entrance into the Sports and Recreation Centre is also to be reconfigured and sign posted so that it is clear that access is to that facility only*
- *In reconfiguring the eastern road, drainage measures can be implemented such that run-off from the road can be discharged to the eastern side, collected and treated prior to discharge.*

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

- *By implementing management measures shown in illustration 5, the issues of safety, erosion and continual access to the various facilities around the lake can be addressed. By formalising the access roads and carparking, the erosion caused from vehicles parking into the dunes and driving off the roads can be minimized or avoided*
- *The movement of the majority of the picnic tables to the western side of the eastern road will reduce the problems with safety as people will no longer need to continually cross the road.*
- *Access will be continued to the Sports and Recreation Centre to the east and west therefore there will not be a problem associated with access during times of flooding.*

It is important to highlight that at no stage has this Ministerial endorsed Plan of Management, 2002 for Lake Ainsworth suggested that closure of the eastern road was necessary to achieve the desired outcomes of the Management Plan. In fact it goes on to say (page 43):

This management option will improve safety and increase pedestrian amenity and recreational facilities in the area east of Lake Ainsworth. Further safety and pedestrian amenity will be achieved by reducing vehicle and pedestrian conflicts through the introduction of formalised car parking.....

Erosion and Sedimentation

The Management Plan states that the erosion observed at the Lake is mostly related to (page 75):

- *Vehicular traffic driving on the fringes of the roads beyond the sealed surface*
- *Runoff from the sealed roads; and*
- *High pedestrian traffic, particularly in the south eastern corner of the lake reserve*

Aerial photographs of Lake Ainsworth over a period of time suggest that significant foreshore erosion has not occurred, even though the location of the road has remained the same since the late 1940's.

The fourth attachment to this report provides copies of the map layouts from the Management Plan 2002 that highlight the major actions proposed in that Plan.

Current Issues with Compliance / Conflict / Regulation

Weekends at Lake Ainsworth in peak summer have reached the point where traffic management and parking are extremely difficult to manage, particularly when the Lennox Head Surf Club has scheduled nipper mornings on a Sunday and even more so when they host surf carnivals and additional events in the area.

The Council rangers in recent years have identified an increase in the patronage of the area surrounding the Lake and the limited parking areas to deal with the influx of vehicles into this area, particularly on weekends and holiday periods.

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

The rangers have also reported congestion of vehicles in the area with vehicles parked in dangerous positions, restricting roads to single traffic lanes in places, double parking, blocking driveways and access ways and concerns with vehicles being parked in, for extended periods of time.

Council rangers have also been verbally abused on a number of occasions as they try to enforce the parking regulations on busy weekends.

Safety concerns have also been raised, in particular young children walking between vehicles and moving backwards and forwards between the Lake and beach.

Council needs to seriously consider providing better traffic and parking management and more parking capacity in this area for locals and tourists to the area; particularly on nipper days and during surf club events.

Given the recent concerns regarding parking and dog management the rangers have been rostered to undertake additional patrols and have incorporated an educational stall at the lake on Sundays from the end of November through to the Sunday before Christmas.

A meeting for staff to consult further with the Lennox Head Surf Club in respect to managing this location on peak days is currently proposed for 17 December 2014.

Water Quality

In considering this report it is also prudent to provide some background information from Council's perspective in relation to water quality in and around the Lake Ainsworth Precinct.

Council has been a proactive participant in the Beachwatch Partnership Program with the Office of Environment and Heritage since 2002 for the reporting and monitoring of recreational waters and this includes sampling at Lake Ainsworth.

During the most recent sampling year, being 2013/14, sample points being Lake Ainsworth South was provisionally graded as 'Good', Lake Ainsworth East and Lake Ainsworth West were graded as 'Poor'.

Water quality at the sites graded 'Poor' were mostly suitable for swimming during dry weather conditions, however the elevated enterococci levels were recorded after rainfall.

Swimming at these sites should be avoided during and for up to three days following rainfall and or if there are signs of stormwater pollution such as discolored water or floating debris.

The results identified in the 2013/14 Report are similar to previous years when rainfall is higher than average during the sampling period. Various swimming areas are affected by rainfall and subsequent contamination from stormwater discharges and this has been reported to the Council regularly in previous years.

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

Overall swimming areas are acceptable most of the time occasionally posing an increased risk of illness to swimmers resulting from rainfall, poor dilution and minimal flushing.

Parameters including dissolved oxygen, ph, temperature, conductivity and turbidity are generally compliant during the sampling period.

Visual and odour observations undertaken during sampling have identified minimal impacts from other pollutants such as litter and oils and greases which could be road related.

Response from Sport and Recreation

The final attachment to this report is the response from Sport and Recreation in respect to the exhibition process. This response is important as Council specifically asked Sport and Recreation for a financial contribution to the proposed eastern road works as the works are designed solely for access to the Centre.

The response has not confirmed a specific financial contribution but rather they will finance items such as a boom gate and assistance with the maintenance works.

The correspondence has also highlighted a number of concerns that Sport and Recreation have in respect to the proposed design. These issues will need to be worked through if Council resolves to proceed with the realignment of the eastern road.

Mention is also made of funding being provided by Crown Lands, however it is the understanding of staff that Crown Lands will not be offering any monies for these works.

Sustainability Considerations

- **Environment**
All options currently under consideration for the Lake Ainsworth Precinct will incorporate environmentally sustainable initiatives.
- **Social**
Council should be mindful that there are possibly a range of social implications on large sections community dependent upon the preferred direction of Council for the Lake Ainsworth Precinct.
- **Economic**
Ensuring that the long term viability of Lake Ainsworth is secured for the community will assist in promoting Ballina as a visitor or tourist destination.

Legal / Resource / Financial Implications

Council has funding available for some works and the allocation of those funds will be dependent on the overall direction Council takes with respect to this south eastern precinct. The recommended allocation of the funding as per the exhibition materials was as follows:

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

| Description | Amount (\$) |
|---|------------------|
| Planning approvals and detailed design | 40,000 |
| Paths | 222,000 |
| Landscaping | 74,000 |
| Playground equipment, exercise stations and picnic shelters, BBQs | 264,000 |
| Road works, car parks, drainage | 600,000 |
| Design and development consent for Lennox Head Surf Club | 100,000 |
| Total | 1,300,000 |

Council also sought a financial contribution from NSW Sport and Recreation or the Crown to the proposed eastern road works. Sport and Recreation has offered monies for specific works, whereas the Crown has not offered any financial contribution.

Consultation

A community consultation process has been completed.

Options

The difficulty now facing Council is the wide range of options available in respect to the materials exhibited. This options section seeks to distinguish the options into the key elements of the exhibited material.

Recreational Facilities and Boardwalk

The submissions generally were not supportive of these facilities.

Council can support the submissions or alternatively Council could be of the opinion that the submissions do not reflect the broader feeling of the community and support the inclusion of the recreational facilities, possibly without the boardwalk, as Councillors did originally express some concerns with that proposal.

Car Parking

Generally there were not strong objections to the new car parking proposed, albeit that some people were concerned over the loss of the existing car parking if the eastern road is relocated or closed. In attempt to support the natural environment the Council's current preferred option was prepared on the basis that the total number of car parks remain unchanged.

However, as noted in the report, the peak demands are causing significant issues and therefore there is a case that more car parks and improved traffic management arrangements are required.

Lennox Head Surf Club - Redevelopment

Again there was not any strong objection to this proposal, albeit that the Lennox Head Surf Club correspondence in the submissions states that the seven members present do not support the management model Council has introduced at the Ballina Surf Club.

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

Council therefore needs to determine whether it wishes to confirm the allocation of funding towards the redevelopment of the surf club, whilst acknowledging there is no funding for the actual building redevelopment and there may well be further issues to resolve with Council and the Surf Club in respect to the preferred management model.

Preferred Road Network

This remains the most contentious issue. The main options available appear to be:

- a) Support the option exhibited – This reduces the eastern road to access only and relocates the road to the east. It is fair to say that limited submissions supported this proposal with people either wanting the road closed in full or to remain open in full to provide car parking, access to the off leash dog area etc.
- b) Support the closure of the eastern road and construct the road through the caravan park - This option is not supported by NSW Trade & Investment and despite the contents of a number of submissions, and the contents of the Master Plan, 2005, Council staff concur with the position of NSW Trade & Investment.

It is considered that the impacts on Ross Street residents, the operations of the caravan park, the loss of access to the Sport and Recreation Centre and the need to possibly provide some form of reconstruction works for the Camp Drewe Road do not justify this realignment of roads.

A very preliminary figure to provide an appropriate pavement suitable for a bitumen seal on the road to Camp Drewe has been estimated in the vicinity of \$800,000 to \$1m. Even if the road to Camp Drewe was not improved, or sealed, Council would incur higher ongoing maintenance costs associated with more frequent and heavier traffic loading.

Council's Engineering Works Section report higher maintenance costs as a result of it being the sole access point to the NSW Sport and Recreation when the eastern road is out of service due to flooding.

- c) Support the closure of the eastern road and upgrade and formalise the southern foreshore road linking Pacific Parade to the Camp Drewe Road – As per option b) the key concern with this issue is the management of the Camp Drewe Road, along with loss of access to the Sport and Recreation Centre.

Despite these concerns Councillors may be of the opinion that the Camp Drewe Road could be maintained in its existing state and the loss of access to the Sport and Recreation Centre is acceptable.

- d) Support the road configuration as per the 2002 Lake Ainsworth Management Plan – This option improves the existing eastern road and it would also include formalising the southern road access as per the submission from NSW Trade & Investment.

In reviewing the submissions and supporting documentation such as the 2002 Lake Ainsworth Management Plan, along with advice regarding

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

water quality etc, there appears to be limited evidence that the existing eastern road is impacting directly on the health of the Lake. As mentioned earlier Council's Environmental Health Officers are reporting minimal water quality issues related to the road.

The exhibited proposal to move the road east still results in traffic movements and there will be a significant loss of vegetation to provide that infrastructure for limited use. Also, even with the road moved to the east, there is still a very limited buffer between the Lake and the traffic.

Therefore, as per the 2002 Management Plan and as per the submission from NSW Trade & Investment, a more cost effective and even possibly more environmentally effective outcome due to limited tree loss and minimal road works, could be to improve the existing road alignment, along with the supporting drainage and car parking infrastructure. This also results in a significantly higher number of car parks in this location to assist with the management of traffic.

This overcomes concerns raised by a range of parties, albeit that it will not satisfy the supporters of the eastern road closure option.

If this option was supported Council would also look at then formalising the southern road in conjunction with Crown Lands. If Council does not proceed with the construction of the road through the caravan park, the negotiations with Crown Lands could evaluate the closure of that road reserve and the opening of a road reserve at the southern end of the Lake. It is understood that the road reserve in the caravan park is Council owned road reserve therefore there is the option to negotiate the sale of that land and purchase of that another area of crown land that may be needed to formalise the road accesses.

These discussions should occur if Council decides to support any option other than the road through the caravan park.

The one concern with any closure of the road reserve through the caravan park is that the public do, at times, access the Lake through the caravan park. There could be some risk of this access being lost if the road reserve was removed and that may well need to be an issue considered as part of any negotiations.

In summary the recommendations that follow are structured based on what are considered to be the preferred options for the various elements of this report. Unfortunately there is often no one ideal situation for all the various elements listed and this has meant that some of the recommendations provide an option a) or b) for Councillor determination.

RECOMMENDATIONS

1. That Council notes the contents of this report in respect to the consultation process for the south eastern precinct of Lake Ainsworth.
2. That in respect to the provision of recreational facilities and boardwalk Council's preferred option is confirmed as the:

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

- a) Removal of the boardwalk and retention of the other facilities such as BBQ, picnic facilities and playground equipment

OR

- b) Removal of the boardwalk and playground equipment, with the retention of limited BBQ and picnic facilities.
3. That in respect to car parking facilities, Council confirms its support for the additional car parking spaces as per the exhibited document, with these spaces subject to further detailed design and investigation.
4. That in respect to the Lennox Head Surf Club redevelopment Council endorses the redevelopment of the Surf Club as the preferred option for the long term future of this building.
5. That in respect to the preferred road layout Council confirms its preferred layout is:
 - a) The retention of the existing eastern road solely for access to the Sport and Recreation Centre, as per the exhibited documents, subject to further detailed design and investigation.

OR

 - b) The retention of the existing road network, with the eastern road to be improved as per the 2002 Lake Ainsworth Management Plan, subject to Council receiving a further report on the estimated costs needed to improve this road through an upgraded surface, improved drainage and car parking, along with consideration of the environmental improvements.
6. That subject to point five Council authorises negotiations with Crown Lands in respect to formalising the southern access around the Lake, along with the possible closure of the Council road reserve through the Lake Ainsworth Caravan Park, with these negotiations to examine pedestrian access through the Caravan Park. The outcomes from these negotiations are to be reported back to Council before finalisation.
7. That Council supports the replacement of the overhead electrical power lines with underground conduits to eliminate the need for maintenance (pruning by the Electrical authorities) and that Council approach Essential Energy to have these works undertaken as a priority.
8. That subject to the above mentioned points, Council receive a further report providing updated estimates for the various works identified, along with a preferred allocation of the available funds, to allow Council to then determine the priority order of works and an implementation program.

Attachment(s)

1. Exhibition Summary Document
2. Letter - Department of Lands - Transfer of Management
3. Letter - Crown Lands Lake Ainsworth Submission 2014

11.7 Lake Ainsworth South Eastern Precinct Upgrade Report.DOC

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

4. Extract from Lake Ainsworth Management Plan 2002
5. NSW Government - Office of Sport Submission - Lake Ainsworth
6. Submissions (Under separate cover)