

**Minutes of the 'A' Ward Committee Meeting
Held 8 March 2016
In the Committee Rooms, 40 Cherry Street, Ballina**

Time Commenced

The meeting commenced at 4.05pm.

1. Attendance and Apologies

Attendance

Cr Robyn Hordern	Councillor (Chair)
Cr Sue Meehan	Councillor
Cr Ken Johnson	Councillor
David Felsch	South Ballina Community Association
Andrew Playford	Ballina High School & East Ballina Lions Club
Stephen Wills	Ballina Bears Cricket Club
George Young	Ballina Lions Club
John Leon	Ballina Rugby Union Club
Mary O'Brien	Lighthouse Day Club
Michael Young	Ballina Chamber of Commerce & Ballina Retail Action Group
Ross Pickering	Ballina & District Citizens & Ratepayers Association
Lyn Davidson	Ballina CWA
Pip Carter	St Andrews Ballina

Council Staff in Attendance

John Truman	Group Manager Civil Services
Joanne Cordery	Secretary - Civil Services Group

Apologies

Sheila Aveling	Paradise FM
Cr David Wright	Mayor
Margaret Hains	Ballina Day View Club

Accepted Cr Sue Meehan/Mary O'Brien

2. Declarations of Interest

There were no declarations of interest.

3. Deputations

Nil

4. Confirmation of the Minutes of the Previous Meeting

The Minutes of the previous meeting held on 10 November 2015 were accepted as a true and correct record.

5. General Business

Resignation of Pamela Steele was noted and the Committee thanked Pamela for her service on the Committee.

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6. Business Arising from Previous Minutes – 10 November 2015

Fripp Oval - Usage

The information in the staff report was noted.

Matters raised by David Felsch

The information in the staff report was noted.

Section 94 & Heavy Haulage Funds

The information in the staff report was noted.

The Spit – Request for Community Education in the Management of Dogs

The information in the staff report was noted.

The Spit – Responsibility of Weed Control

The information in the staff report was noted.

7. Council Documents on Exhibition

The list of previously advertised documents was noted by the Committee.

8. Business Without Notice

i) Shelly's on the Beach Site

John Leon asked if there was a way to progress this project.

John was advised that the construction of the new building was the responsibility of the tenant. Council is very concerned with the delay and has proactively managed the lease, however it is noted the tenant is compliant with the lease terms and is therefore not in breach of contract with Council.

ii) Multi-Purpose Indoor Sports Centre

Andrew Playford asked for an update on the progress of the sports centre.

John Truman advised that Council had resolved to negotiate with the Department of Education on the basis of a project that includes joint management with two courts provided by Council and two courts provided by the School.

iii) Viewing Platform Killen Falls

Andrew Playford thanked Council for the work on the viewing platform.

He also asked about the progress of an eco-toilet for the area.

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John Truman advised that a report was being prepared for Council on this matter.

iv) Cleanup Australia Day in Ballina

Andrew Playford advised that they collected 250kgs of rubbish in their cleanup between the sailing club and Missingham Park.

v) Thank you to Council Officer

Thank you to Council officer Peta Atkins for meeting with the Ballina Lions Club regarding signage.

vi) Update on Aged Care

Pip Carter advised the Committee in regard to aged care policy involving licences for community care packages. He also advised that the laws had been changed and registered nurses were now required at all facilities which may will impact on services due to cost and availability of nurses.

vii) Fripp Oval Usage

Stephen Mills thanked Council for providing information regarding the usage of Fripp Oval by AFL and noted that the issue been resolved.

viii) Fripp Oval - Fence

Stephen Mills advised that they were applying for a grant to replace the fence around Fripp Oval.

He also advised that they may ask Council for help with removing the old fence.

ix) Question – Internal Building Modifications

Stephen Mills asked whether they needed to lodge a DA for an upgrade to the internal of the building at Fripp Oval.

John Truman advised that he would request the duty planner to contact Stephen.

x) Crossing at West Ballina

Stephen Mills spoke of the issues he has witnessed regarding trying to cross the road at West Ballina.

He reiterated his support for a crossing near Dan Murphy's.

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xi) Median Strip in River Street

In response to a question, John Truman advised the Committee that this project does not include landscaping or other visual amenity treatment. The black spot funding received only covered the safety objectives for these works. Footings and mounts have been installed to enable the future erection of banner poles.

xii) Fishery Creek Bridge - Graffiti

Ross Pickering thanked the Council staff who removed the graffiti from under the Fishery Creek Bridge.

xiii) Free Kerbside Garbage Collection

Ross Pickering asked why Council did not provide one or two free kerbside garbage collections per year.

John Truman advised the Council had formally reviewed this issue on a number of occasions. The service is not provided for the following reasons:

- Council has recycling and reuse programs and this service is inconsistent to those objectives.
- Kerbside collections cannot be controlled eg; scavenging and spreading of waste to the environment.
- Volume of work required to organise, monitor and collect the waste make the activity very expensive.
- Dumping before and after the pickup date is problematic and presents the town areas poorly.
- Total cost is more than if those requiring the service used contractors.
- The service is not free, it represents a significant cost to the waste budget which is funded by ratepayer fees and charges.

xiv) Garbage Collection – Kalinga Street

Ross Pickering asked why Council did not collect rubbish in River Street for residents who live in Kalinga Street but back onto River. He also discussed with the group issues for the residents storing their bins in the complex.

Waste Customer Service staff can assist the residents to review this issue.

It was also suggested to Ross that a request be sent to the Body Corporate asking for a bin enclosure in the complex.

xv) Signage at Lighthouse Beach and Pat Morton Lookout

Ross Pickering advised that people were still camping overnight or staying all day in these areas

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John advised that he our Rangers are monitoring this site. It would be possible to establish a timed parking area at the site, however that is not recommended at this point in time.

xvi) Porter Park - Path

Ross Pickering asked if the grass growing in the expansion joints along the path in Porter Park could be removed permanently.

John Truman advised he would ask staff to inspect.

xvii) Proposed Service Station River Street

Ross Pickering tabled a submission (attached) regarding the DA currently on public exhibition for a Coles service station in River Street.

John Truman advised he would forward the submission to our records section for registration and attention by our development assessment section.

xviii) Porter Park Toilets

George Young asked why the toilets in Porter Park were closed permanently and discussed the usage of Porter Park.

John Truman advised that the toilets were closed due to low usage and ongoing vandalism. John also advised that the available project funds did not support all of the works in the Concept Plan for the park and the remaining works will be considered in future Council programs.

John also advised that he would include a copy of the Council Report for Porter Park in the minutes for the information of the Committee.

Extract from Council report from August 2014.

"In response to the consultation feedback, it is recommended that the toilet block be retained and the next review of the Council's toilet block upgrade program give further consideration to the priority ranking of improvement works for this facility within that program.

Council could elect to reopen the facility now, however unless there is changes in the demand level for the service, it is suggested it is preferable to leave the facility closed until its condition can be improved. "

xix) Status of Land

George Young asked for an update on the status of the land at 11 Riverside Drive, Ballina. Land is classified as Road Reserve.

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John Truman advised that the position had not changed and that Steve Barnier's response to him last year was the most current (attached for the information of the Committee).

xx) Richmond Room Renovations

Mary O'Brien thanked Council for the excellent job on the Richmond Room renovations.

xxi) Webster Lane – No Through Road

Mary O'Brien asked if temporary "No Through Road" signage could be installed at the beginning of Webster Lane as vehicles are using her driveway to do u-turns.

John Truman advised that he would arrange for the signs to be installed.

xxii) Recycle Shop at Waste Centre

Andrew Playford asked if the recycle shop at the waste centre was going to reopen.

John Truman advised that following an upgrade of the facility a new lease was currently operating with a company called "Ontrack" who employed people with a disability.

xxiii) Community Connect Item

It was suggested that an article is placed in the next Community Connect advising residents on how to dispose of household goods that are no longer required.

xxiv) Trevs Recycled Garden – Old Location

Cr Meehan asked what can be done about the state the area has been left in.

John Truman advised he would ask for a response from the Development Services Section.

xxv) Centenary of Anzac

Cr Meehan advised that a monument to whalers horses has been received and will be installed with landscaping and signage to dedicate the memory of the service provided by these horses..

9. Next Meeting

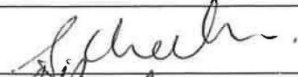
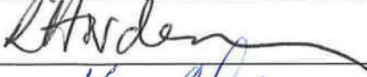

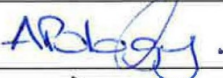
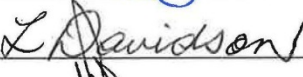

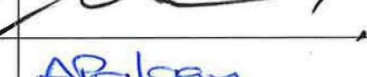

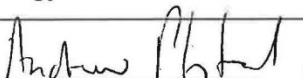


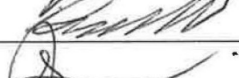

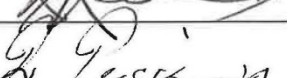
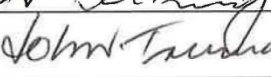
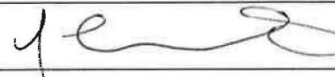

The next meeting is to be held at 4.00pm on Tuesday 10 May 2016.

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10. Meeting Close

There being no further business, the meeting closed at 5.25pm.

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A Ward Meeting Attendance Sheet – 8 March 2016		
Name	Business	Signature
Cr Sue Meehan	Ballina Shire Council	
Cr Robyn Hordern	Ballina Shire Council	
Cr Ken Johnston	Ballina Shire Council	
Cr David Wright	Ballina Shire Council	
Mrs Lyn Davidson	Ballina CWA	
Mr George Young	Ballina Lions Club	
M Michael Young	Ballina Chamber of Commerce & Ballina Retail Action Group	
Ms Margaret Hains	Ballina Day View Club	
Ms Sheila Aveling	Paradise FM	Apology
Mr Andrew Playford	Ballina High School & East Ballina Lions Club	
Ms Hazel Elliott	Ballina Evening View	
Ms Mary O'Brien	Lighthouse Day Club	
Mr Pip Carter	St Andrews Ballina	
Mr David Felsch	South Ballina Community Association	
Mr Stephen Wills	Ballina Bears Cricket Club	
Mr John Leon	Ballina Rugby Union Club	
Mr Ross Pickering	Ballina & District Citizens & Ratepayers Association	
Mr John Truman	Group Manager Civil Services	
Ms Joanne Cordery	Civil Services Group	

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To Chairperson A-ward Committee.

March 8, 2016.

Ballina Shire Council: Dear Sir/Madam,

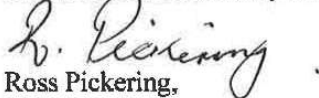
The following is presented on behalf of the members and business houses in River street, who are members of The B.C.D.R.A. In reference to the proposed issuance of a Development Application, at River street and Brunswick street intersection, for the purpose of a petrol station/garage.

We are opposed to this DA being issued on the grounds that:-

[a] We already have plenty of service stations on river street, but only one offering full driveway service, this is the one that will be mostly affected by the building of a new business closeby it has been said that if this business is allowed to open, the small independent service station would have to put staff off, which would mean no more full driveway service, a thing we have learned to rely upon.

[b] We also object on the grounds that it is yet another enterprise that would be going to an offshore owned conglomerate Corporation, as we believe that Coles Ltd. is behind the acquisition.

[c] If allowed to proceed, it would cost Council lots of \$'s in the preparation of the surfaces of Brunswick street to carry a much increased traffic load and damage caused by turning trucks.



Ross Pickering,

for and on behalf of the B.D.C.R.A.

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11.2 Porter Park Embellishment Project

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Delivery Program Open Spaces and Reserves

Objective To seek Council endorsement to proceed with the Porter Park Embellishment Project.

Background

Council has funding available of approximately \$95,000 to assist in the embellishment of Porter Park. The purpose of these funds is to improve the amenity and functionality of the park.

To identify the potential options that may be considered for this project a community consultation program was undertaken. Details of this consultation and the findings were reported to Council in December 2013, where two concept designs prepared by a local landscape architect were also presented. Council resolved that further consultation be undertaken to gain feedback on the two concept plans. A copy of the concept plans has been included as attachment one.

The purpose of this report is to consider the feedback from the community consultation, make appropriate amendments and to provide approval to proceed with the implementation of the plan.

Key Issues

- Design options
- Community Feedback

Information

Community Consultation

The consultation of the two concept plans was undertaken as previously proposed to Council in December 2013, with a letterbox drop undertaken with feedback received by post and e-mail. Advertising through Council's website and on-site was also undertaken over a three week period.

A total of 24 submissions were received from the community. Copies of the submissions have been included as attachment two. Of the submissions received:

- 8 were in support of option 2
- 7 were in support of option 1
- 9 gave no preference of either option, but made comment on the designs

A key feature that resulted from the comments was a preference to retain the existing toilet block (nine submissions) and an indication that fruit trees were not considered suitable in this location (three submissions).

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Next Steps

The key difference between the proposed options is the inclusion in option two of an illustration of how a children's playground and half court multi-purpose surface could be included as additional features to option one.

It is noted that the community slightly favored the provision of the playground and multi-court facility; however there was still broad support for no playground, and further support for no preference between the options.

It has previously been reported to Council that the budget available for this project is not able to support all of the features in option two.

It is recommended that works be undertaken to complete the elements that are common to both options, including tree planting, cricket pitch relocation, picnic shelters and shared path.

This would leave the children's play area in a second stage to be completed when funds are able to be made available.

Further confirmation of the suitability for a playground can be obtained through community consultation as part of the Ballina Playground Improvement Program.

In respect of the toilet block, this facility has been closed to the general public for a period of six years. The facility was opened during the times cricket was played at the Park, however this has now not occurred for two years.

It is understood the reason for the closure was low utilisation and vandalism.

In response to the consultation feedback, it is recommended that the toilet block be retained and the next review of the Council's toilet block upgrade program give further consideration to the priority ranking of improvement works for this facility within that program.

Council could elect to reopen the facility now, however unless there is changes in the demand level for the service, it is suggested it is preferable to leave the facility closed until its condition can be improved.

Fruit trees can tend to be a maintenance liability and source of complaint.

Therefore the recommendation to this report is to amend the plan by replacing the proposal for fruit trees with an alternate appropriate species consistent with the landscape plan.

Sustainability Considerations

- **Environment**
The proposed concept layout plan represents opportunities to improve the environment of this locality.
- **Social**
The embellishment of Porter Park presents an opportunity to enhance the social environment in this locality.

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- **Economic**
Provision of contemporary open space and recreational areas can support the marketing and interest in the Shire as a place to live or visit.

Legal / Resource / Financial Implications

Funds are available that would support the implementation of works common to both designs. There are insufficient funds at this point in time to support the children's playground within option two.

Consultation

The consultation for this project has been comprehensive. The first stage involved a process to include the community in workshops to examine the opportunities for this project. This feedback informed the preparation of the design which Council endorsed for consultation. This has been undertaken with the community through a letterbox drop and on-site, newspaper and website advertising.

Options

1. Council can adopt the plan as exhibited.
2. Council can amend the plan as suggested in the above report. The recommendations below follow this option.
3. Council can make other amendments to the plan and adopt.
4. Council can adopt option two and review the proposed staging if the playground is identified as the priority. The reason this is not recommended is that it is preferred to focus on the common elements of the options that will improve the amenity of the site for a wide range of uses which in turn will provide further support and interest in the addition of the playground facility. Furthermore, Council is currently in a process to review its Playground Improvement Program and it is desirable to defer further consideration on this playground to that process to ensure the outcome will be consistent with Council's strategic planning objectives for these facilities.
5. Council can decide not to endorse the plan and thereby not proceed with any works.

RECOMMENDATIONS

1. Council adopts the Porter Park Concept Plan Option Two, as attached to this report, subject to the following amendments.
 - The reference to remove the toilet facility is deleted.
 - The proposed fruit trees are changed to an alternative tree species to be selected that is consistent with the landscape plan.
2. Council consider the options and priority to upgrade the toilet facility at the

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time it next undertakes a review of the Council's Toilet Facility Upgrade Program.

3. Council proceed to implement Option Two, except for the playground, to the extent possible having regard to the available funds.
4. Council give further consideration to the playground component of Option Two as part of the process to review the Playground Improvement Program.

Attachment(s)

1. Concept Plans Porter Park
2. Community Submissions

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11.2 Porter Park Embellishment Project.DOC



Attachment 1

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11.2 Porter Park Embellishment Project.DOC



Attachment 1

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11.2 Porter Park Embellishment Project.DOC

Porter Park Embellishment - Table of Submissions received

Date	Received From	Address	Preferred Option	Option 1	Option 2	Specific Comments	Comments Re Toilet Block
20/05/2014	Terry Ann Hodgson	27 Drydream Ave			YES	"The Children's playground will provide an environment that families can use for all ages." "happy to be on a garden roster if that is what is required for the upkeep of the park."	
20/05/2014	Palme Wallace	Sunnybank drive			YES	"The trees along the pathway will bring a nice touch as well as I often take walks along there and it is so bare and can be very hot."	
21/05/2014	Ken Johnston	On Behalf of Residents?	YES			"improvements should be kept to a minimum ie any playground structures would likely be vandalised. People would like the open spaces to remain as much as possible."	Retain Toilet Block
22/05/2014	Lynette Greene	Not Supplied				Interested to know if the removal of the existing toilets means that new ones will be built in the same area. I am unable to find any reference to this on either of the design concepts	
22/05/2014	George Young Via Ken Johnston	Not Supplied				poem received only - complaining about loss of toilet block only	Retain Toilet Block
26/05/2014	Boss Eberling	10 Drydream Ave	YES			NI	
26/05/2014	Steph Warren - Via Sarah Carden	1/4 Waterview Court,				please install play equipment	
26/05/2014	Zayne Carden - Via Sarah Carden	1/4 Waterview Court,				please install play equipment	
26/05/2014	Sarah Carden	Ballina				please install play equipment	
26/05/2014	Sarah Carden	Ballina				please install play equipment	
27/05/2014	Bill & Judith Williams	9 Waterview Court	YES			Numerous - Disagree concrete surface for kids play, against fruit trees in area, Does not see need to remove existing picnic shelter, "If it is to be used for picnic games area, with a drinking fountain, family play space, how could there not be a toilet? No. 7 do not think the idea of fruit trees, would be very practical in this area."	Toilets required
28/05/2014	Rob Perrin	0447987023				"It took a long time to get the toilet block. Why is it being removed on both plans? Where do the cricket players, spectators and the picnickers (at the new picnic area) go to the toilet?"	Toilets required
29/05/2014	YN Balzer	Drydream Ave	YES			"option 1 sounds good without removing the toilet block, its there now so why remove it"	Retain Toilet Block
28/05/2014	Molaine Dine	Unit 2 Waterview Court	YES			"A variety of Citrus Trees would be fantastic". "Something else that I would love to see would be an area set aside for a communal vegetable garden". "Wicking garden beds would be ideal as they can save 40-50% more water than conventional garden beds"	
29/05/2014	Garriff Elliott	Not Supplied	YES			Numerous comments on each item supplied - "Option 2 with the exception of Point 12, which I strongly disagree"	Retain Toilet Block
30/05/2014	Rosilyn Knyberry	Not Supplied	YES			NI	
30/05/2014	David Gabe	19 Drydream Ave	YES			Numerous Comments - Specifically around Drainage, Shadows into yards form trees, sound, lighting, rubbish and weeds against the concrete court	
30/05/2014	Lennie Towerner	Waterview Court	YES			"open 24hrs for spinning disc as it looks like there is no where for children to hold onto"	
30/05/2014	Risa Roberts	Not Supplied	YES			Both proposals look fine but option one shows the drinking fountain and tap on the western side near the road which I believe to be more sensible so that passers by can also access these"	Toilets required
01/06/2014	Michael Williams	Not Supplied	YES			"I would like to see the muni goal play equipment incorporated into the park, so long as it is at a proper height basketball ring and has a concrete surface in front of the ring."	
03/06/2014	Kase	Not Supplied					

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Ballina Shire Council

For Action Item - Porter Park Embellishment Project

DATE: 01 September 2014

MEETING: Council Meeting of 28/08/2014

Action is required for item 11.2 as per the Council Resolution outlined below.

280814/26 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

1. Council adopts the Porter Park Concept Plan Option Two, as attached to this report, subject to the following amendments.
 - The reference to remove the toilet facility is deleted.
 - The proposed fruit trees are changed to an alternative tree species to be selected that is consistent with the landscape plan.
2. Council consider the options and priority to upgrade the toilet facility at the time it next undertakes a review of the Council's Toilet Facility Upgrade Program.
3. Council proceed to implement Option Two, except for the playground, to the extent possible having regard to the available funds.
4. Council give further consideration to the playground component of Option Two as part of the process to review the Playground Improvement Program.

FOR VOTE - All Councillors voted unanimously.

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From: Steve Barnier
Sent: Tuesday, 10 March 2015 11:35 AM
To: 'gyo19449@bigpond.net.au'
Subject: RE: ATTENTION STEVE BARNIER

Good morning George, and thank you for your email.

You have explained your proposal quite clearly. However, you will appreciate that any discussion the Council might have regarding the future use and management of public land, including the option of possible disposal, must be on a holistic basis. Whilst you are clearly an exception, I suggest the "average punter" does not have a strong understanding of the different types of public land, and the different tenure arrangements which exist.

The reference to the White Paper in my reply is an attempt to alert you to the fact that the current State Government has signalled its intention to overhaul the existing administrative arrangements for Crown land. Depending on which direction this takes, it may be highly relevant to how Council operates/manages its own inventory of public land.

I respectfully suggest your reference to Porter Park and the development which has occurred there is fundamentally incorrect. The Council does not have unfettered discretion to do what it likes with its own land. It is bound by the various provisions of the Local Government Act with respect to Community Land and, quite appropriately, must be highly transparent with its consideration of proposals of that kind.

I trust you know me well enough to know that I would not be saying yes or no to your concept – that is not my prerogative to do so. Nor is it my intention to seek to defer the proposal you've presented. However, just as you've advocated for your proposal, I suggest there will be community members who will strongly oppose the concept of selling off public assets, irrespective of funds generated from the sales being quarantined for other public purposes (ie to build footpaths). Consequently, the elected Council will need to think carefully about the pros and cons of your concept.

Finally, you've made reference to the Tweed Street situation. Respectfully, I'm not able to assist with that. Clearly, you've taken the matter up previously with Council's Civil Services Group but appear dissatisfied with the response you've received. The other option remains for you to approach one of your Council elected representatives to take the matter up on your behalf – you are very familiar with how that works.

I regret that I'm not able to be of more assistance. However, it is our intention to invite the Council's consideration of options for administering its public land portfolio, and the matters you've raised will be considered in that context.

Thank you again for your interest.

Kind regards, Steve.

Steve Barnier
Group Manager
Strategic and Community Facilities Group

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From: George Young [mailto:gyo19449@bigpond.net.au]
Sent: Monday, 9 March 2015 5:30 PM
To: Ballina Shire Council
Subject: ATTENTION STEVE BARNIER

Hi Steve ,

Thanks for your reply to my letter . Perhaps I have not explained my proposal very well , but at no time did I mention NSW Government Crown Land being sold nor did I infer it should be considered. My knowledge of Crown Land was land owned by the State Government and in some cases administered by Council as trustees . The three Caravan Parks Central , Shaws Bay and Lake Ainsworth for many years were under trusteeship and contributed considerable management and engineering costs to council coffers , it was a great shame Council lost them .

I don't understand what a review of the Crown Land Act by the State Government has to do with the Council freehold land , I mentioned in my letter. Or an evaluation in the context of these broader policy revue means ?.

Recent use of Council freehold land at Porter Park , has indicated that Council can do what they like with their own n land. My proposal is to free up unused Council Land , unused for sixty years and convert it to Council infrastructure for the safe use of its residents as a concrete footpaths .

I appreciate your answer is not NO , but how long will it be for the studies mentioned in your letter take ? You've still got 99 years to catch up with the Tweed Street saga.

You might keep in mind I am a very patient person , the family have waited for 100 years to have a sealed road constructed in Tweed Street between Richmond Avenue and the River. For 60 years I have had to walk on a pubic road , waiting for the safety of a concrete footpath.

And each time I make a request , the I get the same answer from Civil Services “ It's not on the four year plan”

I would appreciate an explanation of the above.

Sincerely ,

George Young