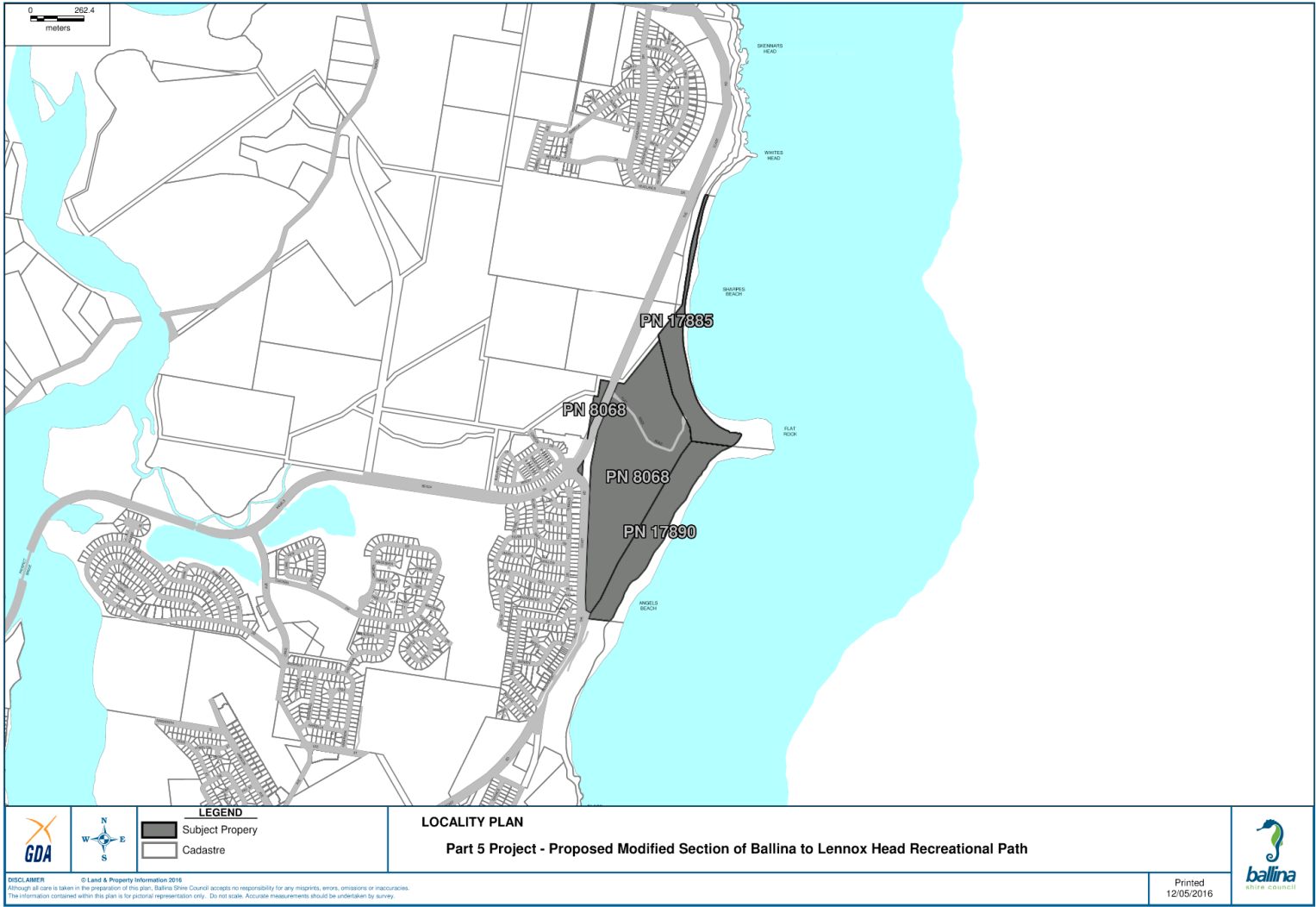


8.1 Part 5 Project - Re-alignment of Coastal Recreational Path.DOC





**BALLINA TO LENNOX HEAD COASTAL RECREATION PATH
ROUTE REALIGNMENT CH1230.4 TO CH1709.0**

DRAWING No: CWY-0022

ISSUE A SEPTEMBER 2014

PRELIMINARY DRAFT DRAWINGS

LOCALITY PLAN



SHEET	ISSUE	DATE	TITLE
1 OF 2	A	22/9/2014	ROUTE PLAN AND LONGITUDINAL SECTION CH0-CH280
2 OF 2	A	22/9/2014	ROUTE PLAN AND LONGITUDINAL SECTION CH280 - CH536.2



Janelle Snellgrove

From: Colin Bear <colin.bear1@gmail.com>
Sent: Friday, 20 November 2015 10:20 AM
To: Ballina Shire Council
Subject: Submission to Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path - Colin Bear

As a regular annual user of the Camp Ground at Flat Rock, I urge you to relocate the section of path proposed to run through the Camp ground.

This is so that the space of the Ground is preserved to enable positive amenity for campers, so that the public is not wandering and riding through the currently appropriately private space of the camp ground, with all campers being gawked at as they supposedly are relaxing (this especially applies to women and children).

Such a public thoroughfare will pose a safety risk and have mothers and fathers on constantly on alert as to the safety of their children, against potential predators.

Other factors included increased risks of theft and increased noise for campers.

Please ensure that the path is re-routed to give an appropriate buffer zone, suitably clear of the camp ground.

Thanking you.

--
Colin Bear
colin.bear1@gmail.com
+61 (0) 409 540 221

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<BR

Janelle Snellgrove

From: paulcook@directionjournal.com on behalf of Paul Cook <paul@mybackcoach.com>
Sent: Friday, 20 November 2015 9:21 AM
To: Ballina Shire Council
Cc: info@flatrockcamping.com.au
Subject: Submission to Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path - Paul Cook

Dear Sirs,

I'm a father who camps each year at Flat Rock Camping Ground with my children. We truly cherish this annual trip with over a dozen other fathers and their children. The freedom to leave all of our things and race to the beach for a surf when the swell hits without worrying about theft is very important to me.

If you build a public walkway right on top of our favourite camping spot it will detract from the beauty of the place both privacy and noise. We don't want complete strangers zooming past our little piece of home each year and poking their noses into our stuff.

Flat Rock is an epic trip each year because we can get completely away from society and run our own show. The children don't bring screens and it returns all of us to very important connections with the earth and sea.

Apart from all of the above... the founder of our annual surf camp died unexpectedly a few years ago and we have planted a tree in his honour. I feel that it is important to preserve the park around this memorial so that we can pay tribute each year to a very important Australian, the creator of the most sustainable housing development ever in the world, Chris Walton. He lives and surfs with us, so please don't run the path right through our children's best camp of each year.

Yours sincerely, Paul Cook

--
Paul Cook
MyBackCoach
0412 497 460



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<BR

Janelle Snellgrove

From: Andy Kidd <heremoth@gmail.com>
Sent: Thursday, 19 November 2015 6:01 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path. Submissions close

Dear Councillors,

Please vote to place the public pathway OUTSIDE Flat Rock campsite. I have been going there every year with children (and will continue to) but I feel that having strangers pass through the site will make the location less family friendly. Also, for the walkers/cyclists on the path it will be more pleasant to go around the site through the bush.

Thanks.

Andy Kidd

heremoth@gmail.com

(+61) 432 214 05

<http://scanmail.trustwave.com/?c=4991&d=pPPN1m9Bc043g9BZONHiRb79h6jWshKkR6Rer-tD Q&u=http%3a%2f%2fwww%2eandykidd%2eorg>

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Janelle Snellgrove

From: Rob Cinelli <rob.cinelli@coldwellbanker.com.au>
Sent: Thursday, 19 November 2015 4:31 PM
Subject: Flat Rock Tent Park
Attachments: WP_20150614_007.jpg; WP_20150614_003.jpg

Dear Councillors

We understand that the council proposes to construct a concrete pathway inside the camp ground across sites 34 to 43... the eastern fence line and site 55.

If the path goes inside the camp ground it suggests to me that it will shrink the park in size (especially if you retain the same number of sites), so everyone will be cramped in. Additionally, the public will be bike riding, skateboarding and walking on the door step of sites. Even with a small buffer of garden between sites, camper's privacy and personal possession security would be put at risk. It would be made even more unappealing if a fence was erected.

My friends and my family use this park regularly every year and we have done so for more than 12 years. In fact, we even have a unique annual event that gathers a group of fathers and their kids for some really special bonding over an extended weekend. This event is really precious to our group and the kids look forward to it with great anticipation; without exception.

Importantly, the very sites you have ear-marked for this pathway cuts through the very sites that we use each and every time; all the way along the beachfront fence line. These sites hold an extremely strong memories for our family and friends. Specifically, site 34 has been 'home away from home' for my family every time we have stayed at the park. In fact, I've never stayed on another site within the park. I have attached a couple of photos of one of our most recent trips to the park this year. We feel very comfortable and safe in this location, knowing that there are no strangers wandering around or past our tent. One of the reasons we selected this particular site was for the safety of our children

Please reconsider re-directing the public recreational pathway to the outside our camp ground to avoid exposing campers to less privacy, stranger danger, noise and theft! Surely re-directing the pathway to the outside of the camp ground will protect camper privacy and make it a more enjoyable bush track experience for the public. I'm sure they don't want to be walking along a beautiful natural environment only to be suddenly exposed face to face with a very busy tent park.

One last thing; if the pathway changes the dynamic of the tent park enough, it is likely we will cease using the park in the future. We'd most likely go somewhere else, especially given the grave concerns that already exist with the increased shark attack incidents this year.

Thank you for taking the time to hear me out and please feel free to contact me at any time about this very important matter

Rob Cinelli | Associate Director | Licensee

PO Box 5009, Gold Coast Mail Centre 9726

Queensland, Australia

t +61 7 5598 1000 | m 0477 00 11 37

f +61 7 5510 3668

Email | Website

Janelle Snellgrove

From: Smith, Greg <Greg.Smith@Raytheon.com.au>
Sent: Thursday, 19 November 2015 4:05 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

Dear Council,

With reference to the subject heading, I support the amended track to go on the outside of the camp ground.

Myself and many friends and families have enjoyed the Flat Rock Camping Grounds and always stay along the beach side, I sincerely hope you vote to not have the Recreational Path impact the camping site environment from its current state.

Regards,

Greg Smith.

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For more information please visit <http://www.symanteccloud.com>

Janelle Snellgrove

From: Eric Pearson <eric_j_pearson@hotmail.com>
Sent: Thursday, 19 November 2015 4:05 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path. Submissions close

To whom it may concern

As a regular camper in this park, I'm appalled that the council would consider such a prospect. When you look around the coastal areas at how camping and holiday parks are slowly disappearing and being replaced by high-rises (I'm from the gold coast) it becomes even more important to preserve what precious little areas like this we have for avid campers.

If this goes ahead it means campers will be faced with nonstop foot traffic and noise in the early hours often I'm sure. Surely this path can skirt the back of the Park without to much disturbance to the park and it's facilities.

I thank you in advance for reading my submission and taking it into account.

Concerned Camper
Eric Pearson

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Janelle Snellgrove

From: Melissa Cremascoli <mcremascoli@blueillusion.com>
Sent: Thursday, 19 November 2015 12:24 PM
Subject: Submission to Part V 22.2015.2 - Ballina to Lennox Head Coastal Recreational Path - Melissa Cremascoli

Attention: Council Members

As a regular Vistor of flat rock tent park and the Ballina shire I am disappointed to here that there is talk of a public bike/walkway possibly being planned trough this camp site area.

The most enjoyable part of camping at this campground is the secure feel and privacy it gives to the campers staying on the grounds. A public walkway would ruin the feel of it being a camp site and as a mother of a 5 year old daughter I would not feel comfortable with the camp site open to non campers to freely access and walk through consistently.

The onsite Management team so a wonderful job of looking after the visitors to this site and add to the personal and private feel of such a wonderful camping spot.

I pray that you consider this pathway to go around this camping site rather than through it and keep this campsite gem a place that families will feel safe, secure and can continue to enjoy a private and peaceful camping experience.

Your Sincerely

Melissa Cremascoli - Brisbane QLD

Sent from my iPhone

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NORTHERN BEACHES USERS CLUB.

Address all Correspondence to the Hon. Secretary: Mr Bob Pilling, 148 Tamar St. Ballina 2478.

Ballina Shire Council

General Manager.

Mr Paul Hickey.

Mr. Hickey,



10-11-15.

Please allow us to make a submission in relation to the deviation of the Coastal Recreation Path (C.R.P) & associated signage nodes at Flat Rock Tent Park.

D.A. 022.2015.00000002.001

D.A. 022.2015.00000001.001

We have studied the advertised plans for the above & would like to express our gratitude for the effort made by Councillors & Staff to accomplish these changes.

We believe the deviation will be an improvement by creating a more comfortable situation for Campers at the Tent Park, & also for the users of the C.R.P.

It appears there will be less environmental damage to the reserve & will eliminate the sharp turns which were part of the original plan.

We request that Councillors all vote in favour of the deviations which will accelerate the starting time for the overall C.R.P.

Thanking You

Denis Magnay
President.

A handwritten signature in dark ink, appearing to read 'DMagnay'.

Bob Pilling.

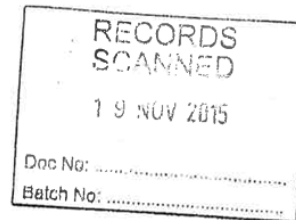
Hon. Secretary.

A handwritten signature in dark ink, appearing to read 'R. Pilling'.

No. 1 Monivae Place
Skenners Head, NSW
2478

17 November 2015

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Sir,

Re: Coastal Recreational Path Consent Application;

022.2015.00000001.001 Part V - Modified Route of the Coastal Recreational Pathway in the Vicinity of the Flat Rock Tent Park and Northern Carpark at Flat Rock.

022.2015.00000002.001, Part V - Coastal Recreation Path (CRP) Extension - Signage Nodes - Flat Rock to East Extension of Coastal Recreational Pathway to Include Interpretive Signage Nodes

We would like to express support for the above consent applications.

It is well worth pursuing option 2, to relocate the alignment of the CRP around Flat Rock Tent Park to maximise the community benefit. There will be increased clearance of the tent park & it will eliminate the tight bends on the CRP around the edges of the tent park. Further there will be no direct impact on either the tent park or campers by users of the CRP (more private). All of this enables a more natural experience for users of the park and CRP.

The signage is excellent - it is suggested that marine grade stainless steel be used in place of any metal framing. This is what they have used in places like Albany WA.

It is also suggested that the Sampson Post of the ship Limerick, that was washed ashore in the 90's be identified and its story included in the Heritage of the area. Its location is to the south side of the Angels Beach 4wd Track. Perhaps a node could be setup around its current location?

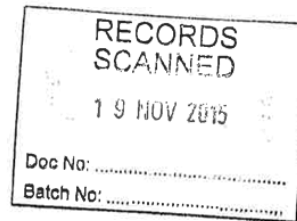
We look forward these works being undertaken as soon as possible.

Thanks

Yours faithfully

2/13 Beachfront Pde
East Ballina 2478

18 November 2015



Mr Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
Cherry Street
Ballina 2478

Dear Mr Willis:

Re: Coastal Recreation Path, Angels Beach

I support:

1. Coastal Recreation Path extension/signage nodes (022.2015.00000002.001)
2. Modified route of Coastal Recreation Path in the vicinity of Flat Rock Tent Park and northern carpark at Flat Rock. This will be safer and less intrusive for tent park residents and by eliminating the bends, allow free traffic flow for path users. (022.2015.00000001.001)

I look forward to seeing these works commenced in the very near future.

Sincerely

A handwritten signature in dark ink, appearing to read "Robyn Driscoll".

Robyn Driscoll

Janelle Snellgrove

From: aandlchristensen@bigpond.com
Sent: Wednesday, 18 November 2015 8:41 PM
Subject: Submission to Part V 22.2015.2 - Ballina to Lennox Head Coastal Recreational Path - Lauren Christensen

Dear Councillors,

I am writing to object to the building of a public walkway/ bike path inside the campground at Flatrock Tent Park. I believe that for the benefit of both users of the path and campers, that the pathway should be constructed on the outside of the tent park.

My family have been camping at Flatrock since 2009, and we Love the atmosphere of the campground. I have concerns for campers, as we have small children and a public pathway leaves this open to uninvited people and unsafe areas for our children, and campers property.

In the interests of the campers who continually and repeatedly visit your shire, and support businesses etc, Please leave the campground as is.

Thanks for considering my submission.

Lauren Christensen
19 Bothwell st.
Newtown. QLD, 4350
Ph. 0428581265

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Janelle Snellgrove

From: Darren Wilson <dgwenvironmental@gmail.com>
Sent: Wednesday, 18 November 2015 7:27 PM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Darren Wilson

Hi

As an environmental professional, and a long term Flat Rock camper, I am dismayed that Council are considering the construction of a 'concrete' pathway directly in front of my camp site in the Camp Ground. Not only will this remove the current camp sites along the eastern boundary, that people have waited years to gain access, and increase the density of camp sites that remain, but it will also increase the risk of theft and change the use from walking to skating and other activities that require 'man made' structures to enable them to occur.

This is not consistent with the amenity values that attract hundreds of us campers to your community each year and spend thousands of dollars each week in the nearby shopping centre in Ballina and cafes and restaurants in Lennox.

As identified in the *Ballina Coastal Reserve Draft Precinct Plan Precinct 4 Flat Rock, Angels Beach and Black Head* on page 2

"The natural amenity of the area is considered to be the precinct's most important asset by the majority of those consulted. Improvement of amenity needs to consider the potential impact of increased usage on the environment and the cultural values held for this area."

I am a passionate greeny and have been an environmental professional for nearly 20 years. Moving the path from inside the park to outside the park will have minimum increased impact to the local fauna and flora community, while also maintaining the

local amenity values and increasing security to campers and our children by moving pedestrian through traffic to skirt the park rather than go through where the kids play. It will also add an additional break in the event of a wild fire in the heathland community.

The environmental values of the native vegetation adjoining the camp ground is compromised due to past land use as indicated in *Ballina Coastal Reserve Plan of Management Volume 2 Background Information Resources and Values* with limited original biodiversity values due to the historic disturbance regime from sand mining, ongoing edge effects, wild fire, noxious weeds, and fragmentation caused by disturbance over the past several years.

Threats from wild fire and noxious weeds are re-occurring risks to the local regenerating biological communities and would be a more prudent focus for investment that would improve amenity and also improve the long term viability of the local vegetation communities.

If Council wish to install a concrete or asphalt walking track, even though this will remove the 'natural' amenity of the current bush path, then the best location is along the outside eastern boundary. This will minimise the impact on campers, that travel long distances to enjoy the amenity of Flat Rock camp ground and inject money into the local communities each year.

I am available to discuss this matter in more detail on the number below.

--
Darren Wilson BSc(AES) Dip.PM CEnvP
DGW Environmental Services

Janelle Snellgrove

From: council@ballina.nsw.gov.au
Sent: Wednesday, 18 November 2015 7:08 PM
Subject: Submission to Part V 22.2015.2 - Ballina to Lennox Head Coastal Recreational Path - Darren Wilson

GENERAL RESPONSE INFORMATION

Response Start Time: 11/18/2015 7:05:04 PM Response End Time: 11/18/2015 7:07:45 PM IP Address: 210.1.200.139 Completed Survey: Yes
 Respondent: Anonymous

SURVEY RESPONSES

1. Name of exhibited document you want to make comment on.
Part V 22.2015.1 - Ballina to Lennox Head Coastal Recreational Path
2. Your name (anonymous submissions may be disregarded by Council) Darren Wilson
3. Phone number (optional)
0407637969
4. Email (confirmation of your email address is required to provide feedback from Council)
dgwenvironmental@gmail.com
5. Having read the document, is it easy to read and understand?
Yes
6. Please provide any suggestions for improvement.
Redesign the track to ensure no changes to the internal layout of the camp ground as this will have a severe impact on the amenity values within the park that has attracted campers to this location for decades
7. Do you support the overall objectives and content of the document?
I support the concept, it is the delivery approach that I do not support in its current form
8. Please provide further comments if you wish.
The environmental impacts of moving the path to run along the camp ground edge will be minimal due to the 'edge effects' from fragmentation and the infestations of noxious weeds and risk from wildfire.
9. If you wish your feedback to remain confidential please provide reasons for this.
[No Answer Entered]

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Janelle Snellgrove

From: Mark & Fiona Deadman <deadeasy@tpg.com.au>
Sent: Wednesday, 18 November 2015 6:59 PM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Fiona, Mark, Callum and Lachlan Deadman

Please Ballina Councillors hear our plea.

We are a dedicated band of campers who each year look forward to our precious weeks of family time as campers at Flatrock Camp Ground. Our family of four enjoys the annual reunions with the old and new friends who also adore this very special part of the coast.

I'm sure the appeal of Flatrock is obvious to you all..... we seek the traditional beach camping experience of our youth and we want to share that with our children, and our children's children. That means going back to nature, to the simplicities of life, and with the privacy that this particular campground offers, above all others in your shire.

We enjoy a beach and bush walk as much as the next family group, in fact we have our own daily exercise routines while we are in your neck of the woods, BUT we are terribly concerned about the proposed construction of a walking path right through our sites.

Apart from the obvious personal loss of surrendering a favourite spot that it took us many years to secure, will certainly feel less secure in leaving our campsite unattended, with unfamiliar faces roaming past. Unfortunately the counter argument is that with the size of the campground reduced, and the potential that we are crammed together like sardines, it will be a less appealing place to frequent. There are certainly many options much closer to home (along the Gold and Tweed Coasts) if we are forced to resort to that style of camping holiday.

If there's the option to support a track outside the existing camp ground border then please count us in as firm supporters of that idea. In fact we promise to do our bit to make it a worthwhile construction project, by walking it every day that we are there.

if that measure is unsuccessful, I will be very sad to be giving up a place that is so important to the Deadman family.. for many reasons the Ballina region has held an important place in our hearts.

Kind regards,

Fiona Deadman (with the support of Mark, Callum and Lachlan Deadman)

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Janelle Snellgrove

From: Tim Morrow <timjmorrow@gmail.com>
Sent: Wednesday, 18 November 2015 3:45 PM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Tim Morrow

As a regular flat rock camper I would like to support to no vote for a path through the tent park. I have family in Ballina and Lennox Head who also camp with us and we all feel that it would ruin the integrity of the park as well as giving opportunity for vandalism and stealing from the park. There are several options that provide for the track and the park to co-exist. This is the definitely the best way for all parties to move forward.

I believe the track would also be used more if the local residents know they are not impacting on campers early in the morning and later in the evening. Actually most of the locals I know choose to walk on the beach anyway.

If you would like to contact me directly for further information please feel free to do so.

Thanks for listening

Tim Morrow

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<BR

Janelle Snellgrove

From: Cliff Cassidy <cassidy42@bigpond.com>
Sent: Wednesday, 18 November 2015 2:42 PM
Subject: Submission to Part V 22.2015.2 - Ballina to Lennox Head Coastal Recreational Path - Cliff Cassidy

Dear Ballina Councillors

It has come to our attention the Council is considering running a public concrete pathway though the Flat Rock tent Park, We object to this proposal and believe it should be placed outside the boundary of the Tent Park.

We camp at Flat Rock camping ground every year with family, children, grand children and friends, there are lots of children playing in the camping ground each day, campers get to know the people and children around them making it a safe place. To put a public concrete pathway/bike track though the camp ground would greatly increase the likelihood of accidents and danger to children within the park.

Please put the new pathway outside the Tent Park.

Kind Regards

Cliff Cassidy

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P.O. Box 48
Ballina, NSW
2478

17 November 2015

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478
council @ ballina.nsw.gov.au

Dear Sir,

Re: Coastal Recreational Path Consent Application;

022.2015.00000001.001 Part V - Modified Route of the Coastal Recreational Pathway in the Vicinity of the Flat Rock Tent Park and Northern Carpark at Flat Rock.

022.2015.00000002.001, Part V - Coastal Recreation Path (CRP) Extension - Signage Nodes - Flat Rock to East Extension of Coastal Recreational Pathway to Include Interpretive Signage Nodes

We would like to express support for the above consent applications. The facts re the Coastal Recreational Path are the clearest they have ever been. The above consent applications & proposed works are a credit to councillors, council staff, consultants, state government and others. These projects will be of great benefit to our community.

Beachfront Parade Dunecare Group and other members of the community have long supported (27 years) the Coastal Recreational Path (Access) following the old historic sand mining road, the rehabilitation of the environment, the identification, display and protection of our cultural heritage. As a Dunecare group we were fully aware that any plantings that occurred would be subject to the final location of the CRP. It is with great delight we support both consent applications.

It is well worth pursuing option 2, to relocate the alignment of the CRP around Flat Rock Tent Park to maximise the community benefit. There will be increased clearance of the tent park & it will eliminate the tight bends on the CRP around the edges of the tent park. Further there will be no direct impact on either the tent park or campers by users of the CRP (more private). All of this enables a more natural experience for users of the park and CRP. Formalising the service track that already exists to the east of the Tent Park will have minimal impacts.

The signage is excellent - it is suggested that marine grade stainless steel be used in place of any other metal framing or fixings. The Cultural Heritage signage looks to be of a high quality, therefore it is hoped that construction quality will equal this.

It is also suggested that the "sampson post" of the ship "MV Limerick", at Angels Beach, that was washed ashore in the 90's be identified and its story included in the Heritage of the area. Its location is to the south side of the Angels Beach 4wd Track. Can a node also be setup around its current location connecting the Heritage listed MV Limerick shipwreck to this area and be a feature along the Coastal Recreational Path? This would enhance our knowledge of World War 2 and the torpedoing of the MV Limerick by a Japanese Submarine, 14.8 miles to the east of our coast.

It is with great anticipation that we look forward these works being undertaken as soon as possible.

Thanks

Yours faithfully

David Fuller & Warren Ainsworth

Janelle Snellgrove

From: Susan Jagannath <susan@jagannaths.com>
Sent: Wednesday, 18 November 2015 12:53 PM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Susan Jagannath

Dear Councillors,

We have been enjoying the beautiful surrounds of your beautiful area, and the Flat Rock Tent park for over 12 years, our kids have grown up appreciating the beauty of the beach and foreshore, and learning to preserve its stunning and pristine character. As regular holidaymakers we are able to spend our holidays and bring our holiday dollars to Ballina shire rather than go overseas or to other areas, we would love to continue to be able to do this indefinitely/ However, the building of a public concrete pathway at the very boundaries of the park, and cutting several sites would effectively destroy the eco character of Flat Rock Tent Park, turning it into a crowded, public park that is not very attractive to family holiday makers. Flat Rock Tent Park is one of the very few eco parks and its character will be forever changed by if a public concrete pathway is built right next to it. Children will no longer be able to play freely, and we would not feel safe with a constant flow of walkers and other past our tentsites, resulting a real loss of loyal, eco-friendly holiday makers for you shire.

We would love to continue holidaying in your shire, and spending our time and money locally rather than elsewhere. Please keep the track well outside the camp, so that both walkers and campers can continue to enjoy beautiful Flat Rock!

Thank you for your support to keep the pathway out of Flat Rock campsite!

Best regards,
Susan Jagannath.

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For more information please visit <http://www.symanteccloud.com>

<BR

Janelle Snellgrove

From: katie <kritzema@hotmail.com>
Sent: Wednesday, 18 November 2015 1:03 PM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Katie Ritzema

To the Ballina Council,

From the perspective of someone who comes from the Sunshine Coats to enjoy the tranquility of northern NSW during holidays and weekends - and using flat rock camping ground as our preferred base - I would like to support a public pathway outside of the camp ground.

How can holiday makers enjoy the peacefulness and community that is Flat Rock camping ground if it is suddenly just open to public to walk/cycle etc through. I believe there will be less privacy and safety for belongings and also children in the camp ground. If we are paying for the privilege of use of the camp ground I expect it to not be open to public to ruin - They can just walk on the sand you know??? Concrete paths destroy what natural places are all about and if people don't want to get their feet wet or sandy I suggest staying in suburbia.

Please keep the path outside the camp ground.

I too am a bit of a greenie but surely you could look at a board walk that would have minimal impact on the sand dune area and possibly educate people about these areas with info boards etc.

With thanks

Katie Ritzema

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Janelle Snellgrove

From: John Broomfield <ozbroomy@hotmail.com>
Sent: Wednesday, 18 November 2015 9:17 AM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - John Broomfield

I support the revised pathway option for Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path, that goes around the Flatrock camping ground.

This camp ground has been part of my family and friends holiday plans for close to 20 years and I believe the path will affect campers privacy and encourage thieves.

I think running the path through the unused bush in front of the site will provide other benefits like access to weed prevention and also make the path itself more enjoyable and scenic for those using it.

Sincerely - John Broomfield

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Janelle Snellgrove

From: David Robertson <d1770@tpg.com.au>
Sent: Wednesday, 18 November 2015 9:31 AM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - David Robertson

To whom it may concern

I am writing to you as a regular user of Flat Rock Camping ground for over 15 years now. To state that I am in total support of **Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path**, and its intention to realign the path to outside the camp ground

The maps on page 23 and 47 of the report shows a much better route for the pathway rather than running thru the camp ground. Realigning it will mean that the camp ground will still have the privacy and security and maintain the camp ground as the very special place it is to visit. (I wonder how many of the council have ever camped there???)

I am hoping the Ballina Council realises that Flat Rock camp ground is special, and many of the regular users of the camp ground will stop visiting if the path is not realigned.

I am planning to stay at the camp ground in the coming weeks and I hope it is not my last

Regards
David Robertson
Wellington Road
East Brisbane 4169
d1770@tpg.com.au

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Janelle Snellgrove

From: Donnie Thompson <domikajr@tpg.com.au>
Sent: Wednesday, 18 November 2015 9:34 AM
Subject: Submission to Part V 22.2015.2 - Ballina to Lennox Head Coastal Recreational Path - Donnie and Michael Thompson

No pathway through Flat Rock Tent Park.

Donnie Thompson, Michael Thompson.
Sent from my iPad

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Janelle Snellgrove

From: Lynne's Optus Account <l.clay@optusnet.com.au>
Sent: Wednesday, 18 November 2015 10:09 AM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Robert and Lynne Clay

To whom it may concern

It has just come to our attention today that the council are considering part of the above pathway to be constructed inside the boundaries of the Flat Rock Tent Park.

As a regular camper to this beautiful park, we are shocked that a public pathway would be considered inside the park. We love this camp ground because of the spacious area and large sites that allow room between campers and the privacy from the road. We believe a public walkway is a great idea but definitely not through the park. Surely those using it would prefer to walk, jog or ride with a view of the ocean or natural bushland rather than staring into people's camp sites. This also brings of the point of security. We would seriously have to reconsider our trips to Flat Rock if there were a regular stream of strangers passing our camp.

I hope there are many more campers who feel the same way as us and have written to you in protest. It would be a very sad day if this proposal is accepted.

Yours sincerely,
Robert & Lynne Clay
Southport QLD

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Janelle Snellgrove

From: Terry <mulliez@bigpond.com>
Sent: Wednesday, 18 November 2015 10:29 AM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - Terry Mulheran

Dear Councillors,

I live at Caloundra in Queensland on the beautiful Sunshine Coast. In spite of this since 2009 I have gone annually to the Flat Rock Tent Park with my wife, children and grandchildren. The reason we continue to support this part is that it embraces what real camping is – a little block of land with space to erect your tent and spend quality time with your family. We are happy to have no electricity or TV's and to spend quality time playing with children, reading books and talking. The relative isolation of the Flat Rock Tent Park is the reason we continue to frequent the Ballina area annually and we hope to continue this tradition for many years to come.

I have been advised that Council is considering building a public walkway/ bicycle path through the Tent Park. I am writing to object to this proposal and request that should a walkway / bicycle path be constructed, that it be erected outside of the existing boundaries of the Tent Park.

In previous years there have been occasions where property has been stolen from our campsites (and unfortunately this is a consequence of camping) however opening up access to the park will only increase the opportunity for persons not connected with the camping community to interfere with the privacy of campers, damage or steal camping equipment that cannot be secured and bring unwanted noise to an area set aside for recreational purposes.

My family would love to continue its tradition of camping at Flat Rock, however if the tranquility and privacy of the tent park cannot be maintained, it may result in our family looking for alternative accommodation.

I hope that you can understand that my concerns would be shared by the majority of campers who use the Flat Rock Tent Park and make a decision to leave the park in its existing condition.

Thanking you for reading this submission.

Terry Mulheran
7 Viola Close
Caloundra Qld 4551
0419741299

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Janelle Snellgrove

From: Wendy at Economy Crash Repairs <wendy@economycrashrepairs.com.au>
Sent: Wednesday, 18 November 2015 9:06 AM
Subject: pathway thru flat rock campsite Part V 22.2015.1 - Ballina to Lennox Head Coastal Recreational Path.

To whom it may concern .my wife & I would like to register our strong disagreement about a proposed bike/ running track passing thru the Flat rock tent parks campsite .. we have been regular campers at flat rock tent park for over 15 years & have enjoyed the safe quiet environment provided there .
Surely there must be an alternative to having the park invaded by early morning joggers ,cyclists etc ..
every Easter the local harriers run through the park & I have personally seen young kids getting knocked over by inattentive joggers .. a potential danger for both kids & joggers apart from any litigation that may result from any injuries that seems to be so prevalent these days(sneeze & you could get sued !!)) .
Hoping common sense prevails Regards Bill & Wendy Tye

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Janelle Snellgrove

From: GEE Dane <Dane.GEE@hpw.qld.gov.au>
Sent: Wednesday, 18 November 2015 8:20 AM
Subject: Submission to Part V 22.2015.2 – Ballina to Lennox Head Coastal Recreational Path - .
Dane Gee

To whom it may concern,

I am writing in objection to the proposed concrete footpath through the flatrock camp sites. I have been holidaying at the camp site for 20 years, as a child and now with my own children. One of the great things about the camp grounds are in that 20 years not too much has changed. By laying a concrete path through some of the camp sites, it will not only make the park smaller but for the site near the footpath will lose privacy and bring 'outsiders' from the park into the campers spaces. Please consider installing the path outside of the camping ground and leave the park as is so in another 20 odd years my children can bring theirs and enjoy it as I did as a kid.

Regards,

Dane Gee

Estimator | SEQ Operations (Cannon Hill)
Building and Asset Services | Department of Housing and Public Works
45 Barrack Rd | Cannon Hill Queensland 4170
ph 07 30082330 (govnet 82330) Mob 0418 784 163 | email dane.gee@hpw.qld.gov.au
www.hpw.qld.gov.au | www.qld.gov.au/housing

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Thank you.

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Janelle Snellgrove

From: Janice Brennan <janice.brennan27@gmail.com>
Sent: Tuesday, 17 November 2015 4:45 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

Please consider the revised pathway and keep it out of Flat Rock!
This camp site is so important and allows people to really enjoy the natural beauty of the area and truly get away from it all. Larger camp sites that provide space , peace and privacy are becoming scarce. It's so important to families and for children to experience this type of camping, we do not want to create another "tent city" .

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<BR

Janelle Snellgrove

From: Phil Layton <Phil.Layton@elston.com.au>
Sent: Tuesday, 17 November 2015 4:45 PM
Subject: Ref: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

I would like to lend my support to the amended track going on the outside of Flat Rock Tent Park. As a long term user of the park as well as a keen walker through that lovely region, I believe both campers and general users of the path will have a better experience under the proposed amendment.

Thank you for your consideration.

Regards,



Phil Layton | Private Wealth Adviser
M: 0419 713 051 | T: 07 5557 3000 | Toll Free: 1300 357 866
phil.layton@elston.com.au | www.elston.com.au
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Janelle Snellgrove

From: Michael Croft <m.d.croft@me.com>
Sent: Tuesday, 17 November 2015 4:47 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

Dear Councillors,

It is commendable that the Ballina Lennox path is being constructed and I am sure that it will be a well used amenity and provide a wonderful connection for the community along its route.

BUT! Why are you even considering running it thru the FlatRock Camping area?

Particularly when for a small additional cost it can run thru the bush land to the west.

Should Council unwisely proceed to carve up the Camping area with this path it will significantly reduce the amenity of this lovely location by forcing campers closer to one another, reducing privacy with the walking, cycling, skateboarding public coming thru the campsite at all hours. I can only foresee tension and conflict arising!

The casual observer will have noticed that the existing coastal walking paths have a constant stream of traffic. For a campsite to be crossed by this traffic is an unnecessary imposition when there is an obvious alternative route.

The current shark problem is causing some to reconsider coming to Ballina and camp by the beach, so a reduction in privacy and amenity will be a further disincentive.

Please do not locate this path through the FlatRock Camp, design and locate this pathway to travel to the West of it?

M D Croft via iPad

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Janelle Snellgrove

From: Matt Sully <matt0@tpg.com.au>
Sent: Tuesday, 17 November 2015 5:00 PM
Subject: I support the revised pathway at Flat Rock - Part V 22.2015.1 - Ballina to Lennox Head Coastal Recreational Path.
Attachments: Ballina_Paedophile.png
Importance: High

Reference **Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path, Submissions close:**

The idea of putting a public footpath next to private tents is ridiculous.

The increase of stranger danger and theft is considerably increased. **Paedophile danger** is increased dramatically

Families use this park. Should one of the local paedophiles <http://www.ballinaadvocate.com.au/news/NSW-upgrades-penalty-for-paedophiles-to-life-in-pr/2633787/>

http://www.mako.org.au/temp_nsw.html

Details available on the register, decide it is a good place to sneak into the park, or glide past on their bike scoping the park before striking at a youngster

Rest assured the council that voted for this easy access to vulnerable children will make national news, and be devastating to the local tourist industry.

Please reconsider your vote if you care about the safety of holiday makers coming to the Ballina Area.

Regards, Matt.

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Janelle Snellgrove

From: Matt Sully <matt0@tpg.com.au>
Sent: Tuesday, 17 November 2015 5:14 PM
Subject: Imagine if the Ballina Shire had a magistrate like this guy from last week over in Perth
Importance: High

But this bloke could easily jump on a plane and come for a holiday here ... and so many more like him.

I know ... let's make it easier for paedophiles to access families at tent parks And put a public path right next to the tents instead of going around them?

"A serious danger to the public" But still released !!

<http://www.news.com.au/national/western-australia/serial-rapist-dennis-john-lyddieth-labelled-a-serious-danger-by-judge-who-released-him/story-fnii5thn-1227598891103?sv=719e1ccb8594801e69afb73e6afb483d>

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Janelle Snellgrove

From: Sue Murphy <murphysue55@hotmail.com>
Sent: Tuesday, 17 November 2015 5:12 PM
Subject: Flat Rock path way

Dear sir/madam

We have been camping at Flat Rock Camp ground for over 20 years and highly object to the proposed pathway on the Eastern side of the camp ground.

This pathway would impact on our site no. 36 and our privacy would be ruined.

Over the last 20 years we have had to put up with our site being halved and trees removed all in the greed of money.

As it is now the park each year becomes over crowded and if this parkway goes ahead and our site is again made smaller we will no longer follow our camping tradition. Flat Rock had been a popular holiday park for so many families. Please do not interfere with the natural beauty of its eastern foreshore.

Sincerely
Susan & Ian Murphy
Site 36

Sent from my iPhone

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Janelle Snellgrove

From: Bronwyn Sc <bronwynx@gmail.com>
Sent: Tuesday, 17 November 2015 5:22 PM
Subject: concern about walking path going through camping ground

To Ballina Councillors,

I wish to provide a submission on the revised pathway as per Reference is **Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path.**

We have camped at the park for a number of years but also visited the area for holidays not in the park.

We believe that the path within the park will create risks for both camp stayers and the public. The camp stayers often have children and personal possessions that should not be put at risk by strangers wandering by. The public bikes and walkers should have the safety and amenity of using a path that does not traverse through other peoples recreational areas.

We are very keen and supportive of the new path way but hope that safety and amenity are strong considerations of the Ballina Councillors.

regards,

Bronwyn Shimmin-Clarke

0431 55 34 85

10 Nawarra St, Indooroopilly, 4068

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<BR

Janelle Snellgrove

From: Rebecca Dunkel <rebeccadunkel@hotmail.com>
Sent: Tuesday, 17 November 2015 5:23 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

To whom it may concern

I do not support the construction of a pathway through the Flat Rock Camping Ground.

This campground is a lovely place for families, and at the moment, spacious and safe.

If your pathway goes through the campground this will be a significant inconvenience for future campers and will directly affect my choice to camp there in future.

Kind regards

Rebecca Dunkel

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Janelle Snellgrove

From: Monica Zwolsman <monicazwolsman@gmail.com>
Sent: Tuesday, 17 November 2015 5:45 PM
Subject: Flat rock camping

Please do not put a path through flat rock as I often camp there and it would ruin the Park. I worry about privacy, noise and theft. .
Thank you

Monica Zwolsman

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Janelle Snellgrove

From: Carmen Myler <ctmyler@gmail.com>
Sent: Tuesday, 17 November 2015 5:48 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path.

To Whom It May Concern

I have recently learned of a proposal to develop a public recreational path from Ballina to Lennox Head... something which I applaud. However, I understand that the proposal is for the path to cut through Flat Rock Tent Park.

My family and I have camped (with a large group of other families) at Flat Rock for the past five years and we have been so grateful of the park's layout, which is reasonably spacious, and its contained design, which has allowed us to keep our children safe (by giving them a clear boundary) while we're camping. It's also meant that the only people in the campsite are generally campers... not members of the public passing through.

I wish to object to the notion of a path cutting through the campsite, which would necessitate an adjustment of site boundaries to smaller sites, and bring public traffic through this popular family site. I feel this opens the campers up to potential theft (something that is already an issue at campsites... why make it easier for thieves?) and exposes children to unnecessary risks with foot traffic, skateboards, bikes and scooters passing through.

I understand there is an option for the path to proceed around / outside Flat Rock. I would urge council to consider this option instead of the proposal to go through the park.

With tourism already challenged by the media focus on sharks in the area, why not leave this beautiful, well-maintained park as it is and seek an alternate solution.

Kind regards,

Carmen

Carmen Myler
Publicity | Marketing | Research
Parenting author and educator Maggie Dent
0400 791 148
www.maggiedent.com

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<BR

Janelle Snellgrove

From: Savannah Fitzsimmons <savannah.fitz@bigpond.com>
Sent: Tuesday, 17 November 2015 5:50 PM
Subject: Flat rock camp ground

To whom it may concern

I am strongly against the footpath going through Flat rock camp ground. Instead of intruding on the campsites, why couldn't the path go around the campsite adjacent to the main road?
There are not enough beachside camp sites around. It would be a shame to loose such a wonderful site.
Having the path through the park will ruin the atmosphere and increase theft and noise.

Regards
Savannah Fitzsimmons
Happy camper

Sent on the go with Vodafone

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Janelle Snellgrove

From: Lisa Grosvenor <lgrosvenor@hotmail.com>
Sent: Tuesday, 17 November 2015 5:57 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path.

Hello,
My name is Lisa Grosvenor.

For the past 6 years I have travelled over 2 and a half hours to enjoy my wonderful Easter holiday at **Flat Rock Tent Park**. The reason I enjoy this place so much is because of the spectacular soundings, happy staff but most importantly, how safe I feel there.

If there was a path to be made through the camp site, as a young woman, I feel as if I wouldn't be safe.... Day or night, If I needed to use the bathroom, wanted to go for a walk to the beach, or even to the nearest bin, I would not feel safe walking alone. I would not be able to leave my belongings, like chairs, fishing rods and eskys outside of my tent at night, in case the people walking or riding by decide to destroy or steal them.

Unless you have stayed at **Flat Rock Tent Park** and experienced it for your self, you will not understand what a path would do to it. It will loose its home like feeling. People who come from near and far will no longer feel safe and you will be taking away something that people like myself look forward to each and every year. I speak for the 20+ people I go camping with every year, that if a path is made, many members of the Flat Rock Family will have no choice but to no longer spend their vacations here. We will not put up with people walking through the site, right near our belongings whenever they please and having to put up with the noise of bikes and skateboards etc. We leave our homes and vacate for peace and quite. Does that sound peaceful to you?

Please don't put a path through our beloved tent park. You have no idea the damage it will cause.

Sincerely Lisa.
Proud member of the Flat Rock Family.

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Janelle Snellgrove

From: catherine harvey <glencath@bigpond.net.au>
Sent: Tuesday, 17 November 2015 5:57 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

To whom it may concern

I do not want a pathway through flat rock camping ground my wife & I camp at this park every chance we get this would shrink & spoil this great spot in Ballina.

If this pathway went ahead we would look at somewhere else to camp I dare say we would not be the only ones.

Regards unhappy campers

Glenn & Catherine Harvey

0423030520

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Janelle Snellgrove

From: Cathy Scott <ycscott@optusnet.com.au>
Sent: Tuesday, 17 November 2015 6:00 PM
Subject: Part V 22.2015.1 - Ballina to Lennox Head Coastal Recreational Path - PLEASE DO NOT BUILD CONCRETE PATHWAY INTO FLAT ROCK

Dear Ballina Councilors

We have been camping at Flat Rock Tent Park for the last 10 years with 5 other families. Every year the kids just look forward to spending two weeks at Flat Rock. We as adults enjoy the tranquility of the campground a lot. We have made friends with a large of regular campers who have been returning to Flat Rock year after year.

The first response we got from telling the kids that the Ballina Council is considering building a concrete pathway inside the campground is "Oh, that's no good."

If my recollection is correct, the Council has started to allow dogs on the beaches around Flat Rock two years ago. Very often we saw dog poos around the place, and even on the beach.

There are a lot of wildlife living in the bush areas around the campground. By building the concrete path around and through the campground, whatever ecosystem is in place in the area will unavoidably be destroyed.

Flat Rock Tent Park is very special in many ways. Unlike most other camp grounds, it is secluded from a lot of the urban sprawls. Why don't we try to preserve nature, rather than opening it up for future destructions?

Scott Family

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Janelle Snellgrove

From: Nirit Marchand <nirit.marchand@gmail.com>
Sent: Tuesday, 17 November 2015 6:03 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path. Submissions close: TOMORROW 18 November 2015.

Hello Council people

I have been asked to email you in regards to above Coast Recreational path as i have just came back from camping at Flat Rock this past weekend with 9 of us in total.

this is not my 1st time camping at this location and hopefully not the last either.

We have been at this camp site about 6 times in the last 7 years (maybe more), and every time we come back very happy and satisfied and appreciative of the great location, great atmospheric, great service, great beaches, and of course the sites and not too many people walk past in and out unless they stay on the camp ground.

I plead and beg of you NOT to go ahead with this submissions to put in foot path INSIDE the camp ground, this will ruin tourism to your location mentioned.

this is one of the rare places you can still camp and walk to the beach without interference and its just beautiful just the way it is. it will be a real pity ruining it.

i have been talking and telling and sending all our friends and colleagues and anyone likes to camp to this Flat Rock location.

we love it every time

have not heard any bad rumors or bad incidents and it will be a real pity if this gets ruined by a foot path with too many people coming and going in between the tents.

it will be less secure and less quit and less tranquil

I hope this gets to you in good hands

hopefully it counts

thank you
Regards

Phillip and Nirit Marchand

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Janelle Snellgrove

From: Norm Gray <normus@bigpond.net.au>
Sent: Tuesday, 17 November 2015 6:04 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path.

My name is norm gray

27 jennifer ave runaway bay qld

I have been camping with my family in the byron/ ballina area over the last 30 years

We love the area and even consider moving there some time in the future

I was introduced to the flat rock camp ground a few years and immediately was impressed with the safe family private environment all while being so close to the beach

Having heard that you are considering putting a public path through the park

Im wondering if you have considered the issues of stranger danger, loss of privacy and even theft by allowing easy public access to a park where people are paying hard earned money for the priviledge

The obvious choice to me would be to put the path through existing bush creating an enjoyable walk for all

Both public and campers

If path is built through park property i would seriously consider camping with my now children and grandchildren elsewhere

I hope sanity prevails in this decision

Regards

Norm Gray

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8.1 Part 5 Project - Re-alignment of Coastal Recreational Path.DOC

Janelle Snellgrove

From: Meryl Dodge <meryldodge@gmail.com>
Sent: Tuesday, 17 November 2015 6:29 PM
Subject: Revised pathway Flatrock Campsite

We support the revised pathway to go around the campsite

Kind regards,
Meryl & Steve Dodge

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Janelle Snellgrove

From: Daniel Brennan <dbrennan@bond.edu.au>
Sent: Tuesday, 17 November 2015 6:43 PM
Subject: Proposed Ballina to Lennox Recreational Path

Dear Ballina council,

I write to express my view that the proposed pathway between Ballina and Lennox Heads should not pass through the flat rock campsite. I have been a regular attender of this campsite for many years and use it as a base to explore both Lennox Heads and Ballina at least 4 times per year, sometimes much more. I believe a path cutting through the site would damage the privacy and put campers at risk from theft by giving thieves more access routes in and out of the campsite.

Furthermore, I like the idea of such a pathway and way that cuts around the campsite would be better for walkers as they would not have their nature view disturbed by tents etc.

Kind regards,
Daniel Brennan

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Janelle Snellgrove

From: Cristy Gearon <cristy.gearon@gmail.com>
Sent: Tuesday, 17 November 2015 7:03 PM
Subject: Amended track proposal Flat Rock

To the Council of Ballina,

As a regular camper to the Flat Rock Tent Site, I'm writing in support of the amended track proposal. A significant attraction of the park IS the absence of noise pollution which is caused by general traffic / pedestrians / scooters / cyclists, etc which many (if not most) other camp sites have to deal with due to concrete pathways. I believe there to be a natural integrity about the Flat Rock camp site which would be significantly compromised with the addition of such paths running into the site. I'm sure that Ballina Council has valid points for the addition of such pathways - however, best check with it's own marketing department first as to whether it's the best decision to flat-line its Unique Selling Point. The absence of these kinds of pathways have been the USI I point out regularly to others when recommending Flat Rock. I would be rethinking any future recommendations to the park should these developments go ahead as there are plenty of concrete jungle parks with beach access to go 'round. Plenty.

Regards

Cristy Gearon
B Ed.
Coxswains - Grade 1 (NC)

Sent from my iPhone

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Janelle Snellgrove

From: Jen Nielsen <mattjennielson@bigpond.com>
Sent: Tuesday, 17 November 2015 7:18 PM
Subject: Part V 22.2015.1 Ballina to Lennox Head Coastal Recreational Path

To Whom it may Concern,

We are writing this email to voice our concern about a proposed public concrete pathway that is intended to cut through the Flat Rock Camping Ground across sites 34 to 43 and/or the eastern fence line and site 55.

Our family of four travel from Toowoomba in Queensland to camp regularly at Flat Rock Camp Ground. On any year we stay for three weeks as tourists in Northern New South Wales and have chosen Flat Rock as the perfect place of escape for our family. There is nothing else like it on the New South Wales north coast.

We are drawn back time and again for a variety of reasons:

- It is safe for our children (aged 8 and 3) to ride their bikes and walk around and play freely
- It has impeccably clean and modern amenities
- It is quiet and family friendly
- The campsites are large, shaded and grassy – allowing us a truly relaxing experience with relative privacy from other campers
- The proximity to the beach
- The proximity to Ballina & Lennox Head for dining, holiday activities and shopping
- The small size of the camping park & the genuine feeling of community between the campers

In past years we have camped at other well known campsites on the North Coast including Lennox Head & Byron Bay – however we will continue to keep coming back to Flat Rock for the reasons mentioned above.

If the path goes inside the camp ground it will shrink the park in size but still have the same number of sites. In doing so you will destroy the main reason we continue to enjoy coming to this beautiful and spacious location.

It makes us feel incredibly nervous that the general public will potentially be bike riding, skateboarding and walking on the door step of sites at any time of day or night with only a small buffer of garden or brushwood fencing between. I feel this impacts immensely on the safety of my children and their freedom to happily enjoy this beautiful bush camp.

I implore you to consider what it is that sets Flat Rock Campground apart from other campsites in your region. There is truly nothing else like it in Ballina or Lennox. The intended path through the Camp ground will give us less privacy, an element of stranger danger, noise and potential theft!!!

Should you require any further information from us we would be more than happy to talk with you. This proposed development is highly concerning to us and will impact on our future plans to regularly visit your region. Flat Rock Camp ground is pristine and one of Ballina / Lennox Heads most unique & beautiful accommodation providers.

Yours sincerely,

Jennifer & Matt Nielsen

5 Griffin Road
Ramsay QLD 4358

Janelle Snellgrove

From: Warren ' Shelly Elliott <elliottws@hotmail.com>
Sent: Tuesday, 17 November 2015 7:22 PM
Subject: Ref: Part V 22.2015.1

To who it may concern

I am emailing you after being informed of your plans to have a public walkway go through the Broken Head Camp Ground. While not being against the walkway, having it go through the park is not practical. It would be preferable to have the track go around the campground. Security and privacy for campers needs to be considered when planning something like this. We are regulars to the area and also use the paths available for bike riding but think an alternative route outside the camp perimeter would be common sense.

Yours faithfully
Warren and Shelly Elliott
Arundel

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Janelle Snellgrove

From: Lexene Marquenie <lexene@internode.on.net>
Sent: Tuesday, 17 November 2015 7:27 PM
Subject: Part V 22.2015.1 - Ballina to Lennox Head Coastal Recreational

Dear Council

I support the amended track to go on the outside of the camp ground

Because if it goes inside campers will be facing less privacy, stranger danger, noise and theft!!! Going outside the camp ground will protect the camper privacy and make it a more enjoyable bush track experience for the public.

If it goes inside the camp area I cannot see my family wanting to use the park again

Yours sincerely

Michael Marquenie

Parkwood QLD 4214

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8.1 Part 5 Project - Re-alignment of Coastal Recreational Path.DOC

Janelle Snellgrove

From: Scott Smith <scottsmith1675@gmail.com>
Sent: Tuesday, 17 November 2015 7:35 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path.

To whom it may concern,

I wish to object to the planned recreation path passing through flat rock camp ground as it will hinder the safety of children and increase theft. I support the path going around flat rock camp ground instead.

Thank you

Scott Smith

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Janelle Snellgrove

From: Michael Crisp <surfcoachcrispy@gmail.com>
Sent: Tuesday, 17 November 2015 7:37 PM
Subject: Proposed path Ballina and Lennox

To whom it may concern,

I am writing in support of the revised pathway Ballina to Lennox recreational park to go outside of Flat Rock Tent Park rather than through the park! It will be devastating to the park having people walking and riding through the park! We feel it is so unsafe for our children! No one would want people walking or riding past their campsite. So dangerous!

michael

Sent from my iPhone

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Janelle Snellgrove

From: Trevor Murray <tvrmurray@gmail.com>
Sent: Tuesday, 17 November 2015 7:57 PM
Subject: Walkway through Flat Rock Tent Park

As a regular visitor to Flat Rock Tent Park I'm alarmed at the idea of putting a public pathway through the park. I like this park because of its natural bush setting the abundance of native flora and fauna and its quiet and idillic location. I've traveled the world and not found a better park. I feel that putting a public pathway through the park is out of character with the parks natural setting, will result in a loss of privacy and security for campers and a loss of space for our tents. I don't understand why it is necessary to have this walkway when most people would prefer a beautiful beach to walk on. I am also concerned about the impact such a walkway will have on the surrounding environment. So please reconsider your plans to construct this walkway in the Tent Park. Places to camp as good as this location are becoming rare so please don't destroy this one.

Trev Murray
Concerned Camper.

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Janelle Snellgrove

From: mike barakin <mbbarakin@gmail.com>
Sent: Tuesday, 17 November 2015 8:10 PM
Subject: Coastal recreational park SUPPORT

Hi ballina council

RE. PART5 22.2015.01 RECREATIONAL PATHWAY . BALLINA TO LENNOX HEADS

As a regular camper to flatrock camping park i am strongly in support of the proposed ballina to lennox heads recreational pathway to be laid OUTSIDE of the park .
Having the pathway inside the park will spoil the very reason we all come to flatrock. Peace and quiet and safety for our kids and camping gear.
Please don't have the path inside the park. Go outside instead

Cheers
Mike and Belinda barakin

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Position:	N/A	IP Address:	110.142.214.183
Started:	30/10/2015 11:25:17 AM	Completed:	30/10/2015 11:50:32 AM
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1. Name of exhibited document you want to make comment on.

Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

2. Your name (anonymous submissions may be disregarded by Council):

June Beresford

3. Phone number (optional):

0419492139

4. Email (confirmation of your email address is required to provide feedback from Council):

junebero@iinet.net.au

5. Having read the document, is it easy to read and understand?

No

6. Please provide any suggestions for improvement.

The document is not simple and goes into a lot of detail that only a professional would understand.

7. Do you support the overall objectives and content of the document?

Yes

<http://www.ballina.nsw.gov.au/surveys/ResultsIndividual.asp?DisplayHeader=Yes&S...> 02/11/2015

8. Please provide further comments if you wish.

I believe this amendment will benefit both users of the path who will still enjoy the bush setting while walking and the campers who will not have users of the path interrupting the relaxed setting of their campsites.

9. If you wish your feedback to remain confidential please provide reasons for this.

[No Answer Entered]

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<http://www.ballina.nsw.gov.au/surveys/ResultsIndividual.asp?DisplayHeader=Yes&S...> 02/11/2015

Janelle Snellgrove

From: Karen Ashby <daka2@live.com.au>
Sent: Tuesday, 27 October 2015 5:59 PM
Subject: Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path

To whom it may concern, I would like to support the revised pathway, Please put the pathway outside the boundary of the Flat rock tent park, its a great idea but we would love to see it in the bush not in the park

Regards
Karen & Dan Ashby
101 Mallowa Drive
Palm Beach QLD 4221

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Janelle Snellgrove

From: kellie hall <kellie.hall24@gmail.com>
Sent: Friday, 23 October 2015 5:36 PM
Subject: Modified route of the coastal recreation pathway

Re: Modified route of the coastal recreation pathway

To Ballina Shire Council

I am a resident of Ballina Shire and I am writing in total support of the coastal recreation pathway proposal going around the Flat Rock Tent Park and therefore a further separation between the pathway and camp ground, than originally planned. I believe this amended route a much more scenic for people using the walkway and shows off or beautiful coast rather than walking through a camp ground.

It also allows tourist and locals who come to Flat Rock to camp to continue enjoying their peaceful, quiet and safe bush camping experience.

This is a win all round for campers, tourist and locals. Great decision Ballina Shire council to reroute this track outside of the camp ground.

Kind regards

Kellie Hall

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8.1 Part 5 Project - Re-alignment of Coastal Recreational Path.DOC

Janelle Snellgrove

From: Ken Hastie <gg14@iprimus.com.au>
Sent: Saturday, 24 October 2015 11:45 AM
Subject: Reference is Part V 22.2015.1 – Ballina to Lennox Head Coastal Recreational Path.

Hi Ballina Council,

This is show my support for the change to the path way as a annual camper of Flat Rock Tent Park.
Please vote in change so that the pathway is constructed on the outside of the camp ground instead as original proposal which would have destroyed some of the best camp sites in the park.

Ken Hastie

Sent from Ken's iPad

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Robyn Gutter

From: Frances Paden <frances_paden@hotmail.com>
Sent: Thursday, 24 March 2016 4:17 PM
To: Ballina Shire Council
Subject: RE: Proposed Coastal Recreational Path

From: frances_paden@hotmail.com
To: t.anderson2478@gmail.com
Subject: Proposed Coastal Recreational Path
Date: Thu, 24 Mar 2016 16:06:07 +1100

The General Manager
Ballina Shire Council

Attention: Paul Busmanis

Sir

We would like to have it noted that we strongly object to the current proposed route for the Coastal Recreation Path, Section 2 over Skinners Headland, north to Iron Peg. This whole area is a well known site of significance containing many artefacts which should be left untouched to preserve the Cultural Integrity it withholds. Once these artefacts are removed not only does the site lose this invaluable integrity, we are also then faced with the further problem of what will happen to the artefacts. Destroying what is left of what could have been classed as a World Heritage listed Indigenous site and allowing unlimited access could not in any culture be deemed 'educational' and how does this benefit Indigenous people when the concept will be impacted and no longer exist in its true form.

We are also currently seeking legal advice from the Environmental Defenders office and NSW Native Title Services in regard to this matter.

signed

Troy Anderson
for Douglas Anderson Sr

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B Ward Meeting 16th November 2015 Modified Path Route Flat Rock

I am representing Coastcare and it saddens me to foresee the destruction, the amended Coastal Pathway route around the Caravan Park and North to the carpark at Flat Rock, will cause.

We have worked on the ground for 25 years. We have learned that; to quote from the Blackwood Ecological Assessment , *'The coastal dune and headland vegetation is considered to be of high conservation value , prevents erosion and provides a salt/wind buffer for backdune communities.* Ballina has vegetated coastal dunes to be proud of. This resource serves to protect the community facilities behind it and it provides protection for the local flora and fauna.

We have endeavoured to educate the community through planting days and encouraged the spread of this knowledge with hundreds of school children involved in workshops and planting excursions. There has been acknowledgment from the community generally that the work done has been appreciated and the reasons for our efforts understood.

I would expect that after all this time the Council and Councillors would be mindful of this knowledge.

Coastcare has made numerous submissions to Council over the years to try and get the best result for the environment and the community.

The modified path proposal threatens the existence of the vegetated area and could indeed threaten the Caravan Park in the future. To open up and expose a tract 3.5m wide clear of vegetation makes the area vulnerable to wind, sand and salt erosion and will lead to blowouts. We know how big these blowouts can become.

If we consider the factors of more violent storms and sea surge events with climate change why take the risk on the modified route when there is another option.

A comment on the existing bushland trail. It is a walking trail on sand that winds around all the trees and shrubs.

I walked it this morning. It is **400** steps from car park shower to tent park..A winding rambling sand track, barely wide enough in many places for me to move through. In one area the dune is falling westward and sand was 5 steps from the path.

There is no lantana or bitou in this area.

It will be very expensive when constructing the proposed path, **if it follows the existing trail as stated in the published Notice of Modified Route.** Will Best practice as specified in the Blackwood Ecological Services report apply.

Things such as ;

Where construction activities are located close to native trees (they are all Native) , root disturbance should be avoided or minimised by locating the path outside drip zones of trees where possible or as far from the trunk as practical. Where roots are encountered, severed or damaged roots should be clean cut and soils backfilled as soon as possible (refer to Australian Standard "Pruning of Amenity Trees".

• High value native vegetation to be retained, including areas of EEC and threatened flora species locations, is to have parawebbing placed around it during construction to avoid accidental disturbance where it occurs close to the Coastal Recreational Path.

I do not believe the path will follow the trail:

I believe the route would be straightened and maybe more trees/shrubs destroyed.

Incidentally the walk from the shower along the road is **270** steps and a whole lot less destructive to the vegetation.

As for Tourist amenity, it would be logical to take the path to the Kiosk refreshment facility in the park and the toilets (it is a long walk to toilets North or South of here.)

The original path would be cheaper to construct and bring walkers to essential facilities.

Coastcare asks Councillors to please consider these factors when they vote on this issue.

Fran Byrne Coastcare.

8.1 Part 5 Project - Re-alignment of Coastal Recreational Path.DOC

48 Barrett Dr
Lennox Head 2478

18th Nov 2015-11-18

The General Manager
Ballina Shire Council
P.O.Box 450
Ballina NSW 2478

Dear Sir,

RE: Part V Amended Coastal Recreation Path(CRP) around Flat Rock Tent Park

I object to the amended pathway in favour of the original GEOLink established route along the old mining road through the Flat Rock Tent Park. At that time there was significant pressure from a minority group and some Councillors to take the CRP on the dunes around the tent park so the issue was extensively and intensively canvassed at the time. Nothing of substance changed as a result. The ecological difficulties of a more easterly route remained.

The grounds for my Objection are

1. It is not necessary.
2. The amended route is ecologically unsound.
3. Economic benefits are not examined
- 4

1.It is not necessary because there are two other ecologically sound possibilities,

1.1 The route along the old mining road through the Tent Park. This option is presently used informally and seems to work well.

1.2 The present approved route inside the eastern boundary of the tent park.

2.The amended route is ecologically unsound.

2.1 The CRP amendment deviates significantly from the original GEOLink route through the tent park, which was chosen within Council's preference for a shared path as close to the coast as possible. In other words GEOLink considered response was that that the tent park was the only sound ecological choice for that part of the CRP.

2.2 There has been no convincing evidence otherwise. To the contrary Blackwood Associates declared that they were following the GEOLink route in their 2012 and 2013 ecological reports. They did so with support from local landcare and other environmental groups as well as OEH(Office of environment and Heritage)

2.3 The use of the Coastcare Angels Beach maintenance track as an excuse for a change is a travesty which reveals a trail of ignorance and failure to consult and inconsistency.

2.3.1 All informal tracks are not of the same order. This track had the exact opposite intent which Council and therefore later consultants are trying to claim. The intent was to find a way whereby carers could access their work to restore the entire coastal area from the tent park eastward to health without removing a single plant as the essential ingredient because the carers recognised the importance of non removal as a vital defence against known erosion from high erosive and corroding salty winds. Their experience over 25 years has demonstrated the conservation value of NOT disturbing the area. It is not as other informal tracks a path to anywhere else neither is it suitable for such use.

2.3.2 Coast care was not consulted about the changed route as required. Extraordinarily a 2011 walk through the area was deemed sufficient. Had carers been appropriately consulted there should have been different result.

2.3.3 The changed route is ecologically unsound. It pushed the path from one that passed through a route with **no ecological value to one of high ecological** values according to Blackwoods own ecological standards for these three types of ecosystem now being impinged(report 2012, p19 – 23. see Appendix).

2.3.3.1 The sections that refer to the ecological value of the land through which the amended path will go are 3.3.3.1 Type 2a Coast Banksia Shrubland and FE5 Banksia; Mixed Native Shrubland and Littoral Rainforest Restoration.

2.3.3.2 The critical issues identified by Blackwood for these ecosystems are dune stability, rare ecosystems, integrity of dune system and a requirement for minimum disturbance or avoidance if possible and denser plantings. In other words exactly what dune carers have been saying. It is also presumably why GEOLink original report avoided the amendment area.

2.4 It is logically incomprehensible that Blackwood should have assessed the amendment as insignificant ecologically.

2.4.1 In their most recent report to amend the path from a location where it previously would have passed through none of those systems whatsoever, the location now lies within the very systems that their original report says are rare and of vital structural importance.

2.4.2 Blackwoods 2014 report on the amended path also acknowledges the impossibility of following the maintenance path in two sections because too much vegetation would have to be removed.

The report doesn't identify how long the impossibility is in each case but this amendment is only 500m long in total.

2.4.3 There is also strange use of statistics to justify this amendment. Blackwood claims that there are only 20 more trees in the amendment. Yet in fact 145 trees are to be removed in this 500m route all part of high value ecosystems versus 125 low value and no value trees spread over a much longer and widely dispersed area. Most of the 125 were eliminated because there was no need to widen the Flat Rock parking lot. No particular reason for this withdrawal is given but it does give the false impression that the statistics for the 145 high value tree removal in 500m is not horrific. It does not compare like with like.

2.5 Blackwoods ecological report 2014 describes the amended route function as mainly walking and running. This also gives the impression of being less invasive than it is.

2.6 Goals that the path may reduce dog incursions into protected areas are unsupported by evidence. Also the evidence of people incursions into informal pathways to the beach will be addressed by a within tent park CRP but exacerbated by the amendment with no beach access and no barrier from tent incursions.

3.The stated goal of economic benefit to the tent park by removing the path from the tent park is dubious.

3.1 there maybe economic benefits in short term but there is no evidence given of any lack of usage due to walkers through the middle of it at present.

3.2 Given the increased possibility/probability of erosion and sand migrating from the disturbed dunes into the park in the longer term the economic effect will probably be negative. It may even threaten the existence of the park.

3.3 It would seem also not an economic issue for the middle of the park route at least. Walkers now informally access the old mining road through the tent park and that does not seem to deter tenters.

4.Costs and access

4.1 The cost of building the amended route if all the conditions for those ecology areas are met will be horrific (see Appendix A for a list of management requirements)

4.2 The maintenance cost will be heavy.

4.3 No more access to beaches is available and no access to existing facilities either. This is not the case with the in tent park routes.

Conclusion

This amendment has nothing to recommend it in terms of the stated goals. It is ecologically indefensible given that sound alternatives exist. It was not considered recommendable by previous investigation. 145 tree removals in high value ecosystems within a route of 500m is also indefensible as is the method of displaying exactly what the tree removal differences are between the existing approved route and the proposed amendment. Proper consultation and attention to the shift in ecology with the shift of the CRP have not been appropriately carried out. There is no evidence of economic benefit to the tent park but evidence of extra expense for path building and maintenance. The whole of the amendment would be contrary to good coastal protection. The idea of the amended route was introduced with misstatements every one and has come to fruition on public exhibition the same.

Dr Lyn Walker
18th Nov 2015

APPENDIX
Ecological Assessment
Angels Beach to Lennox Head Coastal Recreational Path
Blackwood Ecological Services, 2014

Comment

Below are the sections that refer to the ecological value of the land through which the amended path will go. **The critical issues are highlighted - dune stability, rare ecosystems, integrity of dune system, etc.**

South of the Tent Park the amended route starts within partly established and partly replanted Littoral Rainforest. East of the Park fence it passes through Banksia Shrub and Mixed Native Shrubland, north from the Tent Park fence up to the main Carpark it follows the exact margin, the line dividing Banksia Shrub and Regrowth and Replanted Littoral Rainforest.

The structural functions of these coastal shrublands are, as the report says, to protect the integrity of the dune system (vital for economic reasons in the case of the Tent Park) and to protect from wind and salt the more rare and endangered ecosystems (Littoral Rainforest particularly) directly inland from them.

The following are references to the original Blackwood Report 2012 that deal with these ecosystems and how they are to be managed.

P19.

3.3.3.2.1 Type 2a COAST BANKSIA SHRUBLAND

Description and location

This community is prevalent throughout the majority of the proposed route and is characteristic of well-drained beach ridges and dunes often occurring behind more exposed grassland communities (Themeda and Spinifex) on the coastline edge. The community is characterised by a canopy dominated by Coast banksia (*Banksia integrifolia*) which may form a shrubland in more exposed windswept areas or an open forest in less exposed sites. Associated tree and shrub species vary greatly across the Subject site depending upon disturbance history, exposure, soil depth and landform location.

On more exposed coastal headlands this community typically occurs as an open windswept canopy of Coast banksia with a grassy groundlayer.

Disturbed areas may comprise dense thickets of Lantana and Bitou bush with scattered Coast banksia. Less exposed areas of this community occur along back dune areas and comprise an open woodland/ forest dominated by a canopy of Coast banksia with an understorey of Coastal wattle (*Acacia longifolia* subsp. *sophorae*) on well drained sites or littoral rainforest species on lower lying protected sites.

Conservation status

This community type is not listed as an EEC under the TSC or EPBC Acts however coastal dune and headland vegetation is considered to be of high conservation value, prevents erosion and provides a salt/ wind buffer for backdune communities.

p.20

Under the CRA classification this community is best described by Forest Ecosystem 5 (Banksia). The Regional Forestry Agreement document provides the following data on this ecosystem:

FE 5 Banksia

- The original extent (i.e. Pre 1750) was 7598 hectares and approximately 2046 hectares of this ecosystem type remains within the upper north east section of the NSW North Coast Bioregion.

Coast Bioregion.

- Approximately 73% of this ecosystem type within the upper northeast section of the

NSW North Coast Bioregion has been cleared.

The ecosystem is considered to be Rare.

- MIXED NATIVE SHRUBLAND

P.21

3.3.3.2.2 Type 2b Mixed native shrubland (Coast banksia / Screw pine / Horsetail

Oak / Swamp oak/ Coastal wattle)

Description and location

The community type describes areas of mixed native vegetation along exposed dune and

Headland areas where Coast banksia is co-dominant with other native species including Screw pine (*Pandanus tectorius* var. *australianus*), Horsetail oak (*Casuarina equisetifolia*), Swamp oak (*C. glauca*) and Coastal wattle (*Acacia longifolia* subsp. *sophorae*). This community typically has a patchy distribution within the Subject site with Coastal wattle being the most common secondary species occurring with Coast banksia.

Associated groundcover species vary greatly amongst sites but typically include Beach spinifex (*Spinifex sericeus*) and Pigface (*Carpobrotus glaucescens*) in exposed sites and soft herbs and grasses such as Commelina (*Commelina cyanea*) and Basket grass (*Oplismenus aemulus*) at less exposed sites. Exotic grasses are also common in this community.

Conservation status

This community type is not listed as an EEC under the TSC or EPBC Acts however coastal dune and headland vegetation is considered to be of high conservation value, prevents erosion and provides a salt/ wind buffer for backdune communities.

LITTORAL RAINFOREST RESTORATION PLANTINGS

P.23

3.3.3.3.3 Type 3c Littoral rainforest restoration plantings

Description and location

This community type describes planted areas of littoral rainforest species around the Pat Morton Lookout. This area has been divided into management sections by the Landcare group and is being slowly regenerated in stages. Thus the plantings vary in age and density with the earliest most established plantings occurring approximately 31 years ago and recent plantings being undertaken within the last year (based upon mapping provided by Ballina Shire Council). More established areas consist of a dense uniform shrub or tree layer between 4 and 7m tall and comprise common littoral rainforest species such as Macaranga (*Macaranga tanarius*), Guioa (*Guioa semiglauc*), Duboisia (*Duboisia myoporoides*), Lilly pilly (*Acmena smithii*), Blue lilly pilly (*Syzygium oleosum*) and Tuckeroo (*Cupaniopsis anacardioides*). Groundcover vegetation in these areas is limited.

Less established areas comprise scattered plantings with tree guards amongst a dense groundcover of exotic grasses and herbs, many of which extend beyond the height of the guards.

Conservation status

Despite being planted, established areas are consistent with the definition of the EEC Littoral rainforest which is listed under the TSC Act 1995 for the North Coast bioregion.

INTEGRITY OF DUNE SYSTEM

P. 61

5.3.3 Vegetation management

- Where possible, the proposed Coastal Recreational Path route should avoid the need to remove native trees or impact on root zones of retained trees. APPENDIX L provides a worst-case estimate of native tree loss.
- Trees to be removed or trimmed as a result of the proposed development should be clearly marked prior to construction. Trimming to be undertaken in accordance with the Australian Standard "Pruning of Amenity Trees".
- A pre-clearance survey should be completed by a suitably qualified botanist or ecologist to locate significant flora species discussed in this report and ensure protective measures are established.
- Following delineation of the limit of works, Ballina Coast Care is to be given the opportunity to translocate any native seedlings located within the works area. Initial discussions with Ballina Coast Care indicate willingness to translocate Coastal cypress pine seedlings to nearby areas of suitable habitat.
- Where construction activities are located close to native trees, root disturbance should be avoided or minimised by locating the path outside drip zones of trees where possible or as far from the trunk as practical. Where roots are encountered, severed or damaged roots should be clean cut and soils backfilled as soon as possible (refer to Australian Standard "Pruning of Amenity Trees").
- High value native vegetation to be retained, including areas of EEC and threatened flora species locations, is to have parawebbing placed around it during construction to avoid accidental disturbance where it occurs close to the Coastal Recreational Path. No vehicles or stockpiles are to be placed within the drip line of trees within these areas.
- Any areas of Themeda australis grassland EEC accidentally disturbed should be actively rehabilitated.
- Best practice weed management practices should be in place to prevent transfer of weed seeds and vegetative materials, including washdown of vehicles entering or leaving the worksite.
- Construction vehicle should be high pressure hosed prior to entering into the Freshwater wetland EEC located behind Boulder Beach.
- Disturbance to dune vegetation should be minimised where possible and all efforts in terms of the design and materials should be made to ensure the integrity of the dune system and beach are maintained or improved. Any disturbed areas should be replanted with appropriate species as soon as possible to reduce erosion impacts.

Janelle Snellgrove

From: neil denison <negraden317@hotmail.com>
Sent: Wednesday, 18 November 2015 3:44 PM
Subject: Submission to Part V 22.2015.2 - Ballina to Lennox Head Coastal Recreational Path - Ballina Coastcare (Neil Denison)

Ballina Coastcare appreciates the opportunity to comment on the amended route of Ballina to Lennox Head coastal pathway, however, we strongly oppose any proposals that will denigrate the biodiversity of the coastal reserve which is what this proposal will achieve.

Blackwood Ecological Services state quite clearly in their report on this proposed ammendment to the route that -

Based on the assessment the proposed alternative is likely to result in the loss of a greater number of native trees and shrubs than the approved route

Trees close to the proposed route will be affected by lopping, damage to root systems, accidental damage from machinery, compaction or by the stockpiling of spoil or other materials in these areas

That the construction of the pathway through the amended route has the potential to expose adjacent retained areas of vegetation to increased light which will result in weed infestation. Edge effects will result in increased exposure to sensitive plants, increased opportunities for weed incursion and changes to microclimate

The present approved route would have lesser ecological impact as it is located along an existing edge.

The creation of a new path through the body of the dune forest would increase fragmentation and introduce additional edge effects to this community, including an increased likelihood of weed invasion.

The adoption of the proposed alternative route will result in the loss of developing Littoral rainforest species characteristic of Littoral rainforest and Coastal Cypress Pine EEC types and will decrease the available area for the development of these vegetation types in the future

Vegetation loss and subsequent habitat loss will be higher for the proposed alternative route.

Blackwood has recommend in their report that -

a weed programme is to be undertaken following completion of construction for a period of at least 12 months to remove weeds which have colonised disturbed areas and that any landscaping/revegetation works should utilise local provenance stock and suitable native species

Ballina Shire Councils response in their 'Description of the Proposal' is to -

plant endemic species, where considered relevant

plant council approved grass mix in disturbed areas

and to responsible for routine maintenance including weeding

The response from council falls far short of Blackwood's recommendation, the fact that council will plant endemic species when considered relevant suggests that council will in fact consider unsuitable or even exotic species 'when considered relevant'

Council's intention to introduce pasture grass onto the amended route is in itself a blatant introduction of an exitic species

The intention to include this additional area as part of council's maintenance weeding programme suggests in itself that little will be done to prevent the spread of weeds into the affected area, the roadsides of this shire are testament to council's woeful attempts to control weeds.

Ballina Coastcare, with the aid and partnership of various schools and organisations, have been maintaining the Ballina coastal reserve for more than 25 years to the extent that the woodland adjacent to the beach is now largely free of weeds.

The proposed route through the forest east and north of the tentpark is weedfree and any suggestions otherwise is a fabricated denial of the truth and obviously an attempt to persuade those ignorant of the truth to find in favour of the ammended route.

Ballina Coastcare would respectfully suggest that councillors who voted for this proposal take a walk along the proposed amended route and see for themselves the obvious destruction which will result should this

8.1 Part 5 Project - Re-alignment of Coastal Recreational Path.DOC

construction/destruction take place. Representatives from Ballina Coastcare would be more than happy to accompany them

The obvious route which this pathway should take is to follow the old mining road which will already have a firm base and by taking users through the tentpark will allow them to utilise the kiosk at the tent park and the adjacent public toilet facilities immediately to the north of the tentpark.

The proposed amendments will divert away from both the kiosk and the toilet block, both of which are likely to be used by users of this pathway

Thank you for giving Ballina Coastcare the opportunity to comment on this proposal and we earnestly hope that common sense will prevail when the final decision is made

Neil Denison

Hon President - Ballina Coastcare

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For more information please visit <http://www.symanteccloud.com>

Ballina Environment Society Inc
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Ph: 0421-551-768



This submission also has more attached (Shirley White trail)

The General Manager
Ballina Shire Council
Tamar Street
BALLINA NSW 2478

18 November, 2015

**SUBMISSION ON THE BALLINA TO LENNOX HEAD CRP
REVIEW OF ENVIRONMENTAL FACTORS**

Ballina Environment society condemns this proposal in the strongest possible terms.

The route change directly impacts on the dune restoration work undertaken by DuneCare and CoastCare with assistance from volunteers, schools, greencorp and various other organisations. It is therefore totally unacceptable for the consultant NOT to consult with dune care groups stating (p.7):

3.1.3 Consultation with local landcare groups

Consultation with local landcare groups was undertaken as part of the original Coastal Recreational Path REF in 2011. Information from a site walkover with the president of the Angels Beach Dune Group was incorporated into the original Ecology Assessment (Blackwood Ecological Services 2012). Further details are provided within this report.

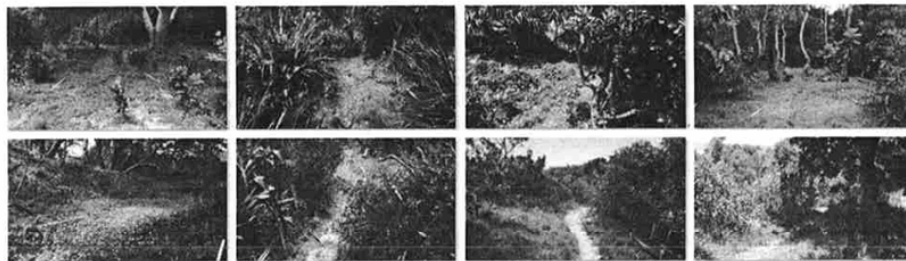
The further details state: (Page 4-5)

1.4 Proposed development

The alternative route follows an existing bushland maintenance trail south from the Flat Rock carpark to the lookout at Flat Rock Tent Park. **This trail is currently utilised by the local landcare group and would require widening and surfacing with asphalt** as part of the proposed works.

Some **minor deviations from this path would be required** in a couple of areas to minimise the loss of larger trees. South of the Flat Rock Tent Park lookout, the most suitable alternative path has been selected which would minimise vegetation removal --- the path surface in this section is to consist of paved asphalt surface. The maximum width of the path is 2.5m and **a tree clearance corridor of 3.5m and disturbance corridor of 5m** in width is considered for the purposes of this assessment due to the need for providing construction access, working areas and short-term stockpiles.

The track known locally to dune carers as 'Shirley White's trail' is an area of great significance, especially to the Landcare community. Incursion into this area was never considered by previous consultants. Landcare groups should have been consulted about this change.



Please view attached slide show Shirley White's trail, the white poles are spaced 2.5m apart.

The assumption by Councillor Worth when debating the Notice of Motion that the area was riddled with Bitou Bush is disputed by the Environment Society, and the REF - due to the hard work and effort of the volunteers and schools who have worked this area for years.

A BES member, Neil Denison, is in charge of a CoastCare project with a school group from Ipswich, who have visited for 10 years, recounted their dismay at being informed their area is being investigated for a bitumen pathway. Such was their disappointment, their association with the site may end if this amendment is carried.

**TABLE 3
CONTROL CLASS AND DISTRIBUTION OF NOXIOUS WEEDS
RECORDED WITHIN THE SUBJECT SITE**

Species	Control Class (CC)	Distribution
Bitou bush	CC4 - The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority.	This species is common along the coastal area within the Subject site and the surrounding study area. Landcare works are helping reduce the extent of this species in some areas. Dense infestations occur between Flat Rock and Sharpes Beach carpark and south of the Pat Morton Lookout.

BES finds it disappointing to say the least that the work of the Landcare groups has not been respected, and that further consultation with the people who have put in such efforts was NOT conducted regarding this decision.

BES defers to the CoastCare submission on this REF and suggest Council does likewise.

BES also requests a site visit by Councillors prior to any decision on the route change.

The assumption in the report is that only 20 additional trees will be removed, when 56 trees from the original plan are saved by not widening the carpark road. BES challenges this on a number of levels.

Species	Diameter-at-Breast-Height (cm)				Total	Notes
	0-9	10-19	20-29	30-39		
North of lookout to Flat Rock carpark (along existing Landcare maintenance track)						
Tuckeroo	19				19	
Beach acrotychia	4	1			5	
Pandanus	3				3	
Dalmanea	6	3	1	1	11	Trimming also required
Coast banksia	13	3	1		17	Trimming also required as well as removal/relocation of dead stumps and fallen trees.
Macaranga	3				3	
Coastal wattle	1	1			2	Areas of coast wattle shrubland to be removed in addition to these trees.
Yellow kamela	1				1	
Brush box	1				1	
Sub-total	51	8	2	1	62	

Species	Diameter-at-Breast-Height (cm)				Total	Notes
	0-9	10-19	20-29	30-39		
Tuckeroo	42	6	2		50	
Beach acrotychia	6	2			8	
Coffee bush	2				2	
Dalmanea	3	1			4	
Coast banksia	11	4			15	
Blackwood wattle	1	1			2	
Cheese tree	3	1			4	
Coastal cypress pine	5	1			6	
Tea tree	2				2	
Persea	1	1			2	
Macaranga	2				2	
Three-veined cypripedium	4	2			6	
Coastal wattle					0	Several shrubs removed or trimmed
Beach platanus	6	1			7	
Bushbox	9				9	
Smooth cecidodendron	1				1	
Bennett's ash	2				2	
Muttonwood	1				1	
Gutier	1				1	
Eucalyptus sp.	1				1	
Sub-total	102	21	2	0	125	

Coast banksia	4	1*	5	*fallen live branch
Macaranga	13	2	15	Trimming of branches and removal/relocation of dead stump also required.
Dalmanea	10	1	11	
Persea	1	1	2	
Beach acrotychia	10	4	14	
Tuckeroo	17		17	
Red kamela	5	1	6	
Coastal wattle	1		1	Areas of coast wattle shrubland to be removed in addition to these trees.
Coffee bush	4		4	
Coastal cypress pine	6		6	Trimming of large branch also required
Black she oak	1		1	fallen live tree
Sub-total	72	9	2	0
TOTAL	123	17	4	1



Firstly, as BES has continually argued, the ecological value is in the community, not only the tree.

2.3 Site Assessment

2.3.1 Methodology

A detailed inspection was undertaken on the 8th September 2014 which included a count of native trees and saplings likely to require removal as a result of the realignment and construction of a 2.5m wide asphalt path. This assessment of tree loss assumed a 3.5m wide tree clearance corridor. Surveys were undertaken by Mark Free and Kelly Simpson of Blackwood Ecological Services.

This methodology does not account for accidental loss of saplings from the stated 5m disturbance corridor, or assume any loss from limb lopping and root damage.

The approved route around the eastern border of the tent park was damaging enough but there was mostly clear access for a working area in the park or on the road, limiting the impact of the disturbance corridor.

This route was always bound to raise objections from the camping community, particularly with a 6 foot brush fence around the prime bush camps proposed.

Rather than intrude into the dune regeneration area, BES suggests Council look at the design of the fence or preferably, re-examine the 'old Mining Road' alignment on the existing pathway through the tent park, allowing access to the kiosk and booking facilities.

It would be simple to then continue, as is currently the practice, on the road reserve to the car park - past the only public toilets between Shelly Beach and Pat Morton.

If Council agree to retain the approved plan (June 2014), BES would ask for consideration of traffic calming devices, rather than widening the road reserve. This road is only used to access Flat Rock car park, so does not have fast moving, heavy traffic. Whereas widening the reserve impacts on 56 trees in the bi-centenary planting area and the integrity of the dunal vegetation.

Part 2.2.3 Coastal Protection Act 1979 claims the 'The proposal is not expected to impact' on the matters requiring referral to the Minister for Planning. Point 3 of the Act states approval is required if the matter "**adversely affect any beach or dune ...**".

The REF notes

Part 1.3 The Study area ... in this case includes vegetated and unvegetated areas ...,

including dune and hind dune vegetation around the Flat Rock area.

Conservation Status... not listed as an EEC... however **coastal dune** and headland vegetation is considered to be of high conservation value, prevents erosion and provides a salt/wind buffer for backdune communities.

Part 4 Impacts and Amelioration, 4.2.1 Flora

The various activities associated with the adoption of the proposed alternative route have the **potential to result in a number of impacts on site vegetation...**

In general the area of vegetation east of the Flat Rock Tent Park considered in this assessment consists of **largely intact dune shrubland with regenerating littoral rainforest**

elements. The majority of the route is relatively undisturbed or regenerating well following disturbance and contains few exotic species. This area of dune vegetation is of relatively high ecological value.

BES contends the requirement for Ministerial approval should be reassessed.

Again, BES requests the Council plan and conduct a site visit before proceeding with this amendment.

BES would hope the letters to the aboriginal representatives, which are on public exhibition, would have included a more open line of communication than closure by the exhibition date. That no word is acceptance, may not prove culturally appropriate:

Should Council not receive any written response from you by 18 November 2015, the Council will understand you have no objection to the proposed development.

It is of concern that the exhibition period for the REF was not closed, before a tender notice for construction of the CRP was issued.

This REF includes too little information on design and function of the beach access nodes and pedestrian intercepts, other than those currently on exhibition for East Ballina Aboriginal Place. What is envisaged for the southern path into the tent park; the node at the northern park walkway and bird watching platform; or the carpark access node.

It is impossible to make any considered cost/benefit analysis from the information contained in the report, but common sense indicates building on sand tracks, when there is already a road, will cost more for construction and for maintenance.

The basic construction cost ought to be a determining issue here and it does not seem warrant a mention. The old route through the Tent Park would basically be on the old mining road and existing thoroughfare which already has a strong base. Putting a new pathway on mobile sand will prove a futile and costly process.

It does not appear the Notice of Motion required any economic reassurance, Councillors voting 8:2:

That amendments be made to the drawings that specify that part of the Coastal Recreational Path which passes around the Flat Rock Tent Park by changing that path's location, as follows:... That the General Manager be authorised to initiate all actions including ongoing dialogue with stakeholders necessary to obtain all required consents and approvals to allow construction.

BES questions if wording of the motion means the amendment will not even need Council ratification, but trust the General Manager will take the findings of this consultation to Council before proceeding.

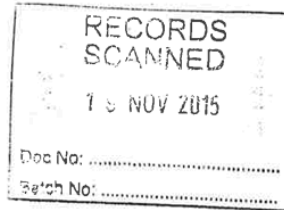
Environmentally, socially, culturally and economically, this REF should not proceed.

Prepared by Fiona Folan MSc(Arch)
President, Ballina Environment Society

Ballina Environment Society submission on Ballina to Lennox Head CRP Addendum Review of Environmental Factors; DC Page 4 of 5

SUBMISSION RE COASTAL RECREATION PATHWAY – ANGELS BEACH

Mr. Paul Hickey
General Manager
Ballina Shire Council
Cnr. Cherry & Tamar Streets
BALLINA.



8 Bellevue Avenue
EAST BALLINA
17TH November, 2015

Dear Mr. Hickey,

I am writing to express my opposition to the site of the Coastal Recreation Pathway at Angels Beach, particularly at Flat Rock, which has been under discussion since May, 2000.

The Angels Beach Dune Care & Reafforestation Group which was formed in 1989 has always worked under the guidance of the then Soil Conservation Service (many name changes since then) and the Ballina Shire Council's 1990 Concept & Strategy Plan, followed by the Plan of Management 2003 and its subsequent update, signed off by both the above organisations.

As you know, Council has had three different Consultants, in regard to this Pathway. Councillors chose to disregard their advice recently and voted to put the section at the Flat Rock Tent Park on the unstable foredune crest, up to 20 metres to the east of the Tent Park fence, instead of through the centre of that area, where a bitumen roadway already exists.

The area to the east of the Tent Park was a huge blowout in 1995 and was restored by a team of Australian Conservation Volunteers from Melbourne, who worked there for a week under the supervision of the ABDC&R Group. Council permitted the ACT volunteers, some of whom came from Europe, to camp in the Tent Park free of charge, in return for their work.

Following this work several groups of Green Corps and Work for the Dole participants, many hundreds of school students, members of the Malibu Surf Life Saving Club, Girls' Surf Life Saving Club, Ballina-on-Richmond Rotary Club, plus ABDC&R volunteers have spent thousands of hours, weeding, planting and maintaining the area from the southern end of the Tent Park to the northern end of the Flat Rock car park, for the past twenty years. (Records of hours spent, numbers of helpers and photographs, are available on Dune Care files). The whole area is now a canopied EEC littoral rainforest, with dense Coastal Wattle (*Acacia sophorae*), which is 2-3 metres high on the dune crest to the east of the rainforest.

North of the Tent Park is the 2000 Green Olympics site, dedicated to Olympian Kerry Saxby-Junna, which was close to the Olympic Torch route. The site was cleared, 2000 trees were planted there as part of the two million trees which were planted nationally, to commemorate the 2000 Sydney Olympics. Again many groups, students from six schools, the community, Green Corps and Work for the Dole participants, BSC Councillors and volunteers were involved in this project.

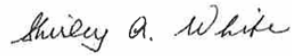
The thought of destroying the littoral rainforest and the forest of Coastal Wattle (*Acacia sophorae*) that they have tended for so many years, to build the Coastal Recreation Pathway on the foredune is distressing, very disappointing and abhorrent to them, especially when a bitumen pathway already exists, which passes the kiosk and the toilet block to the north. The suggested changed route will mean that access to both these existing facilities is impossible, without further decimation of existing vegetation.

Photographs (on file) taken in July this year from the Tent Park viewing platform, looking south towards the Tent Park and north towards Sharpes Beach, show the densely flowering Coastal Wattle and the EEC littoral rainforest. There is **no Bitou Bush** (*Chrysanthemoides monilifera* ssp. *rotundata*) or Lantana (*Lantana camara*) to be seen on any part of this area, contrary to what I understand, was reported to Councillors at the time of their vote to change the location of the route there.

I have written submissions in the past regarding my many reasons for not disturbing the native vegetation on the whole of Angels Beach and those reasons are still valid.

I also endorse the reasons given in the current submission from Ballina Coastcare Inc. against the changed site at Flat Rock Tent Park and that to the north, which is on the eastern side of the 2000 Green Olympics site.

Yours sincerely,

A handwritten signature in cursive script that reads "Shirley A. White".

Shirley White.

Ballina Environment Society Inc
PO Box 166 Ballina
NSW 2478 Australia
Email: BES2478@gmail.com
Ph: 0421-551-768



The General Manager
Ballina Shire Council
PO Box 450
Ballina 2478
cc NSW Public Works
NSW Office of Heritage and Environment



11 December 2015

Dear Paul,

Blackwood Ecological Services Report 2014 prepared for Ballina Shire Council
Part V Amended Coastal Recreation Path(CRP) around Flat Rock Tent
Park; Report # DC 15008 Sept 2015

Ballina Environment Society has serious concerns regarding the quality of the above recently been on public exhibition Blackwood report to Council 2014 and 2015 to NSW Public Works. Some of that concern is contained in our submission to the public exhibition but we found it impossible to do a thorough critique in that theatre in that time frame.

For twenty years Ballina Council and a very vocal minority group have been pursuing a coastline path of one type or another. There has never before been any expert support in the study area where this amended CRP is proposed.

We are contacting Blackwood Ecological services with our critique of their REF and encouraging their response.

We believe the REF Report to be so seriously flawed that it would be unwise for any institution that may consult it to rely upon it.

We are also sending the critique to the other institutions that may need to consult it.

The critique is attached. We encourage you to examine it carefully.

Yours faithfully

Fiona Folan
President

Ballina Environment Society Inc
PO Box 166 Ballina
NSW 2478 Australia
Email: BES2478@gmail.com
Ph: 0421-551-768



Ballina Environment Society
PO BOX 116
Ballina 2478
11 Dec 2015

To: Blackwood Ecological Services
cc: Ballina Shire Council
Office of Environment and Heritage
NSW Public Works

Ballina Environment Society Critique of
Blackwood Addendum Review of Environmental Factors Report 2014
prepared for Ballina Shire Council
Part V Amended Coastal Recreation Path (CRP) around Flat Rock Tent
Park; Report # DC 15008 Sept 2015

Introduction

Ballina Environment Society (BES) has studied the Report (Blackwood Addendum Review of Environmental Factors report - henceforth referred to as the "REF") prepared for Ballina Shire Council. We find the Report deeply unsatisfactory. This critique is to raise with Blackwood Ecological Services the most pressing of our concerns. We are also sending copies of our concerns to all those who depend upon ecological information to guide them in making decisions about adopting the modified CRP.

On the basis of Blackwoods own description of the ecology of the affected vegetation and its management we believe that the REF makes misleading assertions, has methodological weaknesses and critical analysis anomalies, and contains inaccurate information. These weaknesses are, we believe, such that the REF is likely to lead Ballina Shire Council (BSC), NSW Public Works (PW) and the Office of Environment and Heritage (OEH) to accept conclusions that are not valid.

Our intention in offering this critique is to allow Blackwood an opportunity either to clarify and/or correct its REF or else to challenge and correct this Society's understanding of the matter.

A subsidiary concern of ours is that, even if the REF may not be substantively flawed, Ballina Shire Council's response has not to this point demonstrated a willingness to meticulously follow through with the safeguards identified in the Report, and that it may actually be the case that the kind of safeguards the Report recommends are in fact too onerous for any Council to manage.

Critique .

1. Ecological impact

Blackwood identified three vegetation types that the modified path transgresses. These are Type 2a Coast Banksia Shrubland and FES Banksia, Mixed Native Shrubland and Littoral Rainforest Restoration. The REF concluded that "by adopting safeguards identified in the assessment it is unlikely that there would be significant environmental impacts associated with the proposed works"

We reject this conclusion. The REF classifies the three ecosystems as of high conservation value **because of their structural functions**, namely dune stability, rare ecosystems, integrity of dune system and a requirement for minimum disturbance or avoidance if possible and denser plantings. " (Appendix A)

The recommendation of "avoiding where possible" during the pathway's development either means something or is an empty platitude.

It is absolutely clear that the area the modified development will impact can be avoided completely; the existing approved Coast Recreational Pathway (CRP) does exactly that. Past ecological investigations have demonstrably rejected the idea that a path could safely be built east of the tent park to Flat Rock car park.

The approved CRP route is one that Geolink (2011) considered with great care and was designed to avoid all damaging impacts, even those from a basic walking path. Their argument was based on the premise that a high conservation value actually means something important. In stark contrast, the modified path that the REF supports, far from being a small adjustment (Introduction p2), is one that directly impacts all of the three ecosystems that the REF declares should be avoided if possible. The avoidance criteria are used as though they were a platitude rather than the first principle to be considered.

Over the period post 2010 (indeed for 10 years before that when the path was to be part of the east coast cycleway) there was sustained pressure from a very vocal minority residents group and some Councillors that the CRP should be located on the foredunes and hind-dunes around the Tent Park. Because of that pressure, the issue was extensively and intensively studied at the time.

That focussed study led to the conclusion that the foredune and hind-dune routes were neither ecologically supportable nor coastal protection supportable. Ballina Shire Council was forced to abandon its push for a pathway east of the tent park and also the whole concept of a shared path/cycleway along the coastline. The ecological objections to the more easterly route (such as the new realignment proposes) were acknowledged to present an unacceptable risk. That risk is exactly what dune carers have also identified.

2. Flaws in the REF supporting information and analysis leading to its conclusion.

2(a) The REF claims that tests of significance do not apply.

We reject that conclusion. One of the goals of SEPP 71 is to protect and preserve native coastal vegetation. Coastal processes and hazards will impact upon the path and the Tent Park site in due course. The REF describes the fore dunes where the realigned path ventures as prone to wave attack and Aeolian activity. (5.9 Soils p21)

We believe that at the very least an environmental impact statement should be required if Blackwood and/or Ballina Shire Council wish to dispute the research of predecessors, the 25yrs of experience of qualified land carers and the known erosive threat to and from Angels Beach.2(b) The REF Table of comparison of approved route and realigned route (Table 3, p23) acknowledges an estimated 20 trees more will need removing than the approved route.

We question this calculus on statistical grounds. Although the trees are claimed to be of the same species in both cases, we reject the implication that sameness of species is the relevant criteria for evaluating the realignments ecological effects of tree removal. To make such a direct comparison is a basic and fundamental misuse of statistics such as to make the REF conclusions invalid. As the REF itself identifies, the approximate 145 endemic native trees destined to be removed in this 500m route are all part of high value ecosystems whose loss should be avoided if possible. Their vital structural function is the critical comparison to make. In contrast, the 125 trees to be lost on the existing route have low or no ecosystem conservation value. Indeed 56 of these 125 trees are road-side clearings, the need for which is also disputable.

REF does not make the necessary critical comparison. The comparison is approximately 145 trees with high value structural function versus 125 trees with little functional ecological value.

2(c). The REF claims that the modification is only a "small" part of the total pathway (Intro p2).

We reject that conclusion; the use of the term "small" begs the whole question. A modification that pushes 500m of CRP through three ecosystems of high functional conservation value represents no "small" risk to the dune stability and to the rest of the high value vegetation from salty winds.

A qualifier such as "small" cannot comfortably be applied to a path clearance 3.5m wide with a construction corridor of 5m through an area which the REF itself describes as deserving to be avoided where possible.

The process of dividing up the CRP into sections of so many metres each is for convenience only and not for use quantitatively. Even so if viewed as 50m longer than the approved route of 450m which it is to replace the modified path could just as accurately be described as 20% more. That is stretching the concept of "small" rather a long way. Furthermore, the removal of an estimated 145 native trees in 500m would hardly qualify as "small"

BES would be content to use the qualifier "small" on condition that a proposed modification were something that did not go outside the original study area already ecologically surveyed by Blackwood and was similarly assessed as having little conservation value. That is, not going more than 10m from the existing route on either side, circumventing particular trees, and/or staying within the same ecosystem.

2(d) The REF claims that the CRP between Angels Beach car park and Flat Rock car park generally follows already sealed and/or informal existing paths.

We reject this assertion as untrue. It would be a correct claim if applied to the unmodified CRP route extending from the Angels Beach Carpark to Flat Rock Car Park. However, the modification removes 500m of sealed and/or hard cleared surface from that section of the CRP and replaces it with a cleanskin sandy route through native

vegetation which serves an important conservation function.

It is false and misleading to claim that Coastcare's maintenance trail is itself an "informal existing path" which would be suitable as a route for the CRP.

Informal tracks are of many different kinds and not all are of the same order. The REF describes an existing unformed path as one regularly accessed by beach goers, surfers and walkers (4.1). The Coastcare trail by contrast has at its northern end a large notice saying No Public Access Dune Restoration Work in Progress. Coastcare's trail was made with the exact opposite intent and implementation that BSC and this REF are trying to claim. Coastcare's intent was to find a way whereby carers could access and manage their restoration work. Their goal is to restore to health the entire coastal area from the car park eastward **without removing a single plant**.

Coastcarers recognised the importance of non-removal as a necessary defence against the known erosion caused by the highly erosive and corroding salty winds that blast this prominent high dune zone. This is an area where Coastcare has struggled successfully over a decade or more to "heal" and "seal off" "wind blowouts" that undermine the entire high dune's stability. Their experience over 25 years has demonstrated the conservation value of absolutely NOT disturbing the area but in fact acting so as to consistently strengthen its structure, rather than weakening it.

The trail in question is unlike all the other informal tracks because it is not a path to anywhere in particular. It is not in fact suitable for such use. It is a single file, narrow trail - a mere trace in the sand - that winds around trees as to avoid damaging vegetation.

The REF itself acknowledges that there are two occasions where it cannot follow the "path" (actually a trail) without explaining how much of a detour is required.

The distinction between "paths" is very significant because the existence of the dune carers' trail was the sole impetus for the realignment in the first place. It is reasonable to believe that the justification of the realignment case is, albeit unintentionally, a "fraud" from BSC. It should have been discovered as such by the REF in which its definition alone should have excluded it.

2(e) The REF claims that it has consulted with Ballina Coastcare (3.1.3)

We reject this assertion as simply untrue. It is derisory to claim that a very much earlier walk with the President through the approved area in 2011 met in any substantial manner the requirement for consultation with land care.

The 2011 route being inspected from the Tent Park to Flat Rock Car Park, which is now the adopted and approved route, was not going to impact in any way upon the land care restoration efforts to the east. The fore dunes and the hind dune areas that serve to protect the Tent Park from erosion and salty winds were not included in it. Further formal consultation was therefore not called for at that point.

On the contrary, the new route proposed for the modified path encroaches upon both fore and hind dunes and threatens the restoration of the high conservation value ecosystems. Entering afresh into consultation with Coastcare would therefore be absolutely essential to meet the requirement of consultation. It did not happen.

3. Errors of fact in the REF

There are errors of fact in the REF. A walk through the intended modified route with Coastcarers (see 2(e) above) would have easily remedied them.

3(a) It is claimed that the modified path study area is weedy with noxious weeds such as lantana and bitou. (Table 3 2.3.5 p11) This is completely untrue - it is virtually free of all known environmental weeds. If from time to time a bird or wind sown weed appears it is promptly removed. Coastcarers work on it every week of the year.

3(b) It is claimed that there are "sweeping views" from the modified track. This is completely false - there are none whatever, except from the viewing platforms which are already incorporated into the existing route.

3(c) It is claimed that the Coastcare maintenance trail is a suitable CRP route. It is demonstrably not. We argued this case above (see 2(d))

3(d) It is claimed that the functions of the ecological systems will not be affected by the implementation of the modified path. On the contrary previous consultants and Coastcarers are unanimous in disagreeing, especially given their long historical experience and evidence of dune instability and sand encroachment. The instability of the dunes for Ballina's pocket beaches such as Angels Beach is well known.

3(e) A wide sweeping claim is made that the whole area has been sandmined, hence is not likely to encounter problems because there is no old growth to be protected. This is also inaccurate.

The claim is based upon evidence that mining licences or leases were once issued. However that does not mean that the area was ever actually mined. In fact it was not. The REF acknowledges that the Mines Department does not have records of what and where mining actually occurred or where reparations were made.

Coastcare has testimony from six men who worked the sandmines in that area and those workers are clear that mining **did not ever take place** on the dunes at Flat Rock. It took place only on the beach above high water mark which was then considerably further from the dunes than at present.

These testimonials are held by Mrs Shirley White as part of the oral history of sandmining on Angels Beach that Mrs White has been working on for the past decade. Surface activities such as grazing did certainly occur. However there are trees identified in the littoral rainforest area that have the unquestioned characteristics of old growth. These can easily be pointed out to anyone interested enough to walk the area with Coastcarers.

3(f) On compensatory planting, it is claimed that the second chosen place for compensatory planting is a weed infested, dead tree area etc. The Lennox Landcare President has contradicted this claim as follows:

"There has been regular weeding and some planting over the years. I do not see this as a 'compensation' site. The green army weeded the site late last year as well. We are also waiting on the coastal pathway to be completed before more intensive work. The site is already being managed - it is simply the way and rate that is being done that is in question so it is not a compensation site."

3(g) It is claimed that the Vegetation Management plan as outlined would be a sufficient safeguard to environmental impact.

This is not the case. Ballina Shire Council, and probably no other Council, is likely to be able to do all the things required. Every tree to be removed on the modified route is a native. We attach the submission from Ballina Coastcare regarding the management requirements. The highlighted points of the Coastcare submission clearly show the significance of every tree requiring the full root protection etc. (Appendix B) Appendix A contains the REF requirements.

All the usual ecological problems are listed in the REF. That is not enough, because each problem is assessed independently of the whole, without reference to the structural function of the whole, and the qualifier "small" is undefined yet extensively used. Therefore the conclusion that each individual problem is insignificant, even if it were correct, does not support the conclusion that the effect of the 500m path on the whole will be insignificant overall. We have presented evidence against this claim earlier in this critique.

3(h) It is claimed that there will be appropriate Compensatory plantings

We reject this assumption as illogical. Plantings at some other locations cannot be compensatory because the high conservation value comes from two things: the nature of the vegetation PLUS the function it serves. Function is locally specific and not transferable to some other locality. The function of protecting the dunes, and the vegetation behind as outlined above, requires the vegetation to remain in the position it currently occupies, and at least at the density it currently has in that location. The REF clearly identifies (Appendix A) the location as being a major reason for the high conservation value. Logically there can therefore be no compensation for tree removal from the modified study area.

3(i) It is claimed that the goals of the modified CRP are the same as the existing route and that the only difference is to make a bigger gap between the path and the tent park.

We reject the assumption that it makes sense for this goal to have priority over the long term viability of the Tent Park and survival of the dunes. The "bigger gap" claim may be accurate but Ballina Shire Council's argument for the modified route is one containing a strongly economic case.

The economic case is not explicitly argued but simply asserted. The economics of the case contain many components that need teasing out as follows.

There is no evidence given that the present informal arrangement of CRP users moving through the Tent Park is negatively affecting the economy of the Tent Park. The patronage seems to be satisfactory regardless of the fact that at present CRP users walk directly through it.

A further economic argument against the modified route, is the Tent Park may in fact be threatened by future sand invasion if the dunal vegetation barrier is weakened. That would be a long term bad economic outcome, one that is not recognised in the report.

The Tent Park may well benefit from the proximity of its refreshments kiosk to the users of the existing informal route.

The cost of the modified path has not even been asked for. The additional Vegetation Management requirements are likely to be very costly as would a Plan B should Aboriginal artefacts be found in areas where the depth of past use is not as expected.

How much has checking the route cost so far? One would need to consider staff work time spread over more than one year including how many Councillor briefings and reports for meetings and Blackwood and Associates 2014 report.

The costs of laying asphalt on loose sand will be considerably higher than the original alignment which is all in cleared hard road base and existing road.

The fact of the toilet block amenity not being on or near the modified route is highly likely to result in one or more informal tracks being forged through native bushland without consideration of the vegetation requirements - either that or the local bushes will become de facto toilets. That scenario would eventually force a formalised path without the benefit of planned-for care of vegetation and costs.

There are already informal tracks from the Tent Park border forged through the dunes to the beach, presumably all made by Tent Park users who want their own beach access when they see how everyone else has access to the beach from other places. Sooner or later Ballina Shire Council will have to formalise these informal erosion-prone tracks or pay to block them off. The existing CRP route does in fact block them off completely from the tent park. In contrast, the modified plan would open them all up and be an invitation to future wind-driven dune "blowouts".

Conclusion

We have presented a case that there is little hard evidence to support the REF's conclusion in favour of the realigned path. Rather, we see the issues being superficially presented, with claims often simply asserted about the insignificance of some issues that are usually regarded as important in high value conservation areas.

Overall, the scientific rigor required from a REF is clearly missing from this document. In our view it is unwise to rely upon this REF for any future planning.

We believe that at very least an Environment Impact Statement is now essential if the modified route is to remain as an option.

However, it is in our view very clear that the best outcome would be to proceed with the existing approved route, which is an option that has none of the risks presented by the modified one. It will also cost less.

Where there is complete unity from all past and present studies relating to the CRP modification is that the first principle is to avoid it.

Fiona Folan,
President
Ballina Environment Society

APPENDIX A
Ecological Assessment
Angels Beach to Lennox Head Coastal Recreational Path
Blackwood Ecological Services, 2014

Comment

Below are the sections that refer to the ecological value of the land through which the amended path will go. **The critical issues are highlighted - dune stability, rare ecosystems, integrity of dune system, etc.**

South of the Tent Park the amended route starts within partly established and partly replanted Littoral Rainforest. East of the Park fence it passes through Banksia Shrub and Mixed Native Shrubland, north from the Tent Park fence up to the main Carpark it follows the exact margin, the line dividing Banksia Shrub and Regrowth and Replanted Littoral Rainforest.

The structural functions of these coastal shrublands are, as the report says, to protect the integrity of the dune system (vital for economic reasons in the case of the Tent Park) and to protect from wind and salt the more rare and endangered ecosystems (Littoral Rainforest particularly) directly inland from them.

The following are references to the original Blackwood Report 2012 that deal with these ecosystems and how they are to be managed. The content is essentially unchanged in later versions

P19.

3.3.3.2.1 Type 2a COAST BANKSIA SHRUBLAND

Description and location

This community is prevalent throughout the majority of the proposed route and is characteristic of well-drained beach ridges and dunes often occurring behind more exposed grassland communities (Themeda and Spinifex) on the coastline edge. The community is characterised by a canopy dominated by Coast banksia (*Banksia integrifolia*) which may form a shrubland in more exposed windswept areas or an open forest in less exposed sites. Associated tree and shrub species vary greatly across the Subject site depending upon disturbance history, exposure, soil depth and landform location.

On more exposed coastal headlands this community typically occurs as an open windswept canopy of Coast banksia with a grassy groundlayer. Disturbed areas may comprise dense thickets of Lantana and Bitou bush with scattered Coast banksia. Less exposed areas of this community occur along back dune areas and comprise an open woodland/ forest dominated by a canopy of Coast banksia with an understorey of Coastal wattle (*Acacia longifolia* subsp. *sophorae*) on well drained sites or littoral rainforest species on lower lying protected sites.

Conservation status

This community type is not listed as an EEC under the TSC or EPBC Acts however coastal dune and headland vegetation is considered to be of high conservation value, prevents erosion and provides a salt/ wind buffer for backdune communities.

p.20

Under the CRA classification this community is best described by Forest Ecosystem 5 (Banksia). The Regional Forestry Agreement document provides the following data on this ecosystem:

FE 5 Banksia

- The original extent (i.e. Pre 1750) was 7598 hectares and approximately 2046 hectares of this ecosystem type remains within the upper north east section of the NSW North Coast Bioregion.
- Approximately 73% of this ecosystem type within the upper northeast section of the NSW North Coast Bioregion has been cleared.

The ecosystem is considered to be Rare.

• MIXED NATIVE SHRUBLAND

P.21

3.3.3.2.2 Type 2b Mixed native shrubland (Coast banksia / Screw pine / Horsetail Oak / Swamp oak/ Coastal wattle)

Description and location

The community type describes areas of mixed native vegetation along exposed dune and Headland areas where Coast banksia is co-dominant with other native species including Screw pine (*Pandanus tectorius* var. *australianus*), Horsetail oak (*Casuarina equisetifolia*), Swamp oak (*C. glauca*) and Coastal wattle (*Acacia longifolia* subsp. *sophorae*). This community typically has a patchy distribution within the Subject site with Coastal wattle being the most common secondary species occurring with Coast banksia.

Associated groundcover species vary greatly amongst sites but typically include Beach spinifex (*Spinifex sericeus*) and Pigface (*Carpobrotus glaucescens*) in exposed sites and soft herbs and grasses such as Commelina (*Commelina cyanea*) and Basket grass (*Oplismenus aemulus*) at less exposed sites. Exotic grasses are also common in this community.

Conservation status

This community type is not listed as an EEC under the TSC or EPBC Acts however coastal dune and headland vegetation is considered to be of high conservation value, prevents erosion and provides a salt/ wind buffer for backdune communities.

LITTORAL RAINFOREST RESTORATION PLANTINGS

P.23

3.3.3.3.3 Type 3c Littoral rainforest restoration plantings

Description and location

This community type describes planted areas of littoral rainforest species around the Pat Morton Lookout. This area has been divided into management sections by the Landcare group and is being slowly regenerated in stages. Thus the plantings vary in age and density with the earliest most established plantings occurring approximately 31 years ago and recent plantings being undertaken within the last year (based upon mapping provided by Ballina Shire Council). More established areas consist of a dense uniform shrub or tree layer between 4 and 7m tall and comprise common littoral rainforest species such as Macaranga (*Macaranga tanarius*), Guioa (*Guioa semiglauc*), Duboisia (*Duboisia myoporoides*), Lilly pilly (*Acmena smithii*), Blue lilly pilly (*Syzygium oleosum*) and Tuckeroo (*Cupaniopsis anacardioides*). Groundcover vegetation in these areas is limited.

Less established areas comprise scattered plantings with tree guards amongst a dense groundcover of exotic grasses and herbs, many of which extend beyond the height of the guards.

Conservation status

Despite being planted, established areas are consistent with the definition of the EEC Littoral rainforest which is listed under the TSC Act 1995 for the North Coast bioregion.

INTEGRITY OF DUNE SYSTEM

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5.3.3 Vegetation management

• Where possible, the proposed Coastal Recreational Path route should avoid the need to remove native trees or impact on root zones of retained trees. APPENDIX L provides a worst-case estimate of native tree loss.

- Trees to be removed or trimmed as a result of the proposed development should be clearly marked prior to construction. Trimming to be undertaken in accordance with the Australian Standard "Pruning of Amenity Trees".
- A pre-clearance survey should be completed by a suitably qualified botanist or ecologist to locate significant flora species discussed in this report and ensure protective measures are established.
- Following delineation of the limit of works, Ballina Coast Care is to be given the opportunity to translocate any native seedlings located within the works area. Initial discussions with Ballina Coast Care indicate willingness to translocate Coastal cypress pine seedlings to nearby areas of suitable habitat.
- Where construction activities are located close to native trees, root disturbance should be avoided or minimised by locating the path outside drip zones of trees where possible or as far from the trunk as practical. Where roots are encountered, severed or damaged roots should be clean cut and soils backfilled as soon as possible (refer to Australian Standard "Pruning of Amenity Trees").
- High value native vegetation to be retained, including areas of EEC and threatened flora species locations, is to have parawebbing placed around it during construction to avoid accidental disturbance where it occurs close to the Coastal Recreational Path. No vehicles or stockpiles are to be placed within the drip line of trees within these areas.
- Any areas of *Themeda australis* grassland EEC accidentally disturbed should be actively rehabilitated.
- Best practice weed management practices should be in place to prevent transfer of weed seeds and vegetative materials, including washdown of vehicles entering or leaving the worksite.
- Construction vehicle should be high pressure hosed prior to entering into the Freshwater wetland EEC located behind Boulder Beach.
- Disturbance to dune vegetation should be minimised where possible and all efforts in terms of the design and materials should be made to ensure the integrity of the dune system and beach are maintained or improved. Any disturbed areas should be replanted with appropriate species as soon as possible to reduce erosion impacts.

APPENDIX B Ballina Coastcare Submission.

Subject: Ballina to Lennox Head Recreational Path (Part5 2015/0009)

Date: Wed, 18 Nov 2015 15:43:34 +1100

Ballina Coastcare appreciates the opportunity to comment on the amended route of Ballina to Lennox Head coastal pathway, however, we strongly oppose any proposals that will denigrate the biodiversity of the coastal reserve which is what this proposal will achieve.

Blackwood Ecological Services state quite clearly in their report on this proposed amendment to the route that -

Based on the assessment the proposed alternative is likely to result in the loss of a greater number of native trees and shrubs than the approved route

Trees close to the proposed route will be affected by lopping, damage to root systems, accidental damage from machinery, compaction or by the stockpiling of spoil or other materials in these areas

That the construction of the pathway through the amended route has the potential to expose adjacent retained areas of vegetation to increased light which will result in weed infestation. Edge effects will result in increased exposure to sensitive plants, increased opportunities for weed incursion and changes to microclimate

The present approved route would have lesser ecological impact as it is located along an existing edge.

The creation of a new path through the body of the dune forest would increase fragmentation and introduce additional edge effects to this community, including an increased likelihood of weed invasion.

The adoption of the proposed alternative route will result in the loss of developing Littoral rainforest species characteristic of Littoral rainforest and Coastal Cypress Pine EEC types and will decrease the available area for the development of these vegetation types in the future

Vegetation loss and subsequent habitat loss will be higher for the proposed alternative route.

Blackwood has recommend in their report that -

a weed programme is to be undertaken following completion of construction for a period of at least 12 months to remove weeds which have colonised disturbed areas and that any landscaping/revegetation works should utilise local provenance stock and suitable native species

Ballina Shire Councils response in their 'Description of the Proposal's to -

plant endemic species, where considered relevant plant council approved grass mix in disturbed areas and to be responsible for routine maintenance including weeding

The response from council falls far short of Blackwood's recommendation, the fact that council will plant endemic species when considered relevant suggests that council will in fact consider unsuitable or even exotic species 'when considered relevant'

Council's intention to introduce pasture grass onto the amended route is in itself a blatant introduction of an exotic species

The intention to include this additional area as part of council's maintenance weeding programme suggests in itself that little will be done to prevent the spread of weeds into the affected area, the roadsides of this shire are testament to council's woeful attempts to control weeds.

Ballina Coastcare, with the aid and partnership of various schools and organisations, have been maintaining the Ballina coastal reserve for more than 25 years to the extent that the woodland adjacent to the beach is now largely free of weeds.

The proposed route through the forest east and north of the tentpark is weed free and any suggestions otherwise is a fabricated denial of the truth and obviously an attempt to persuade those ignorant of the truth to find in favour of the amended route.

Ballina Coastcare would respectfully suggest that councillors who voted for this proposal take a walk along the proposed amended route and see for themselves the obvious destruction which will result should this construction/destruction take place. Representatives from Ballina Coastcare would be more than happy to accompany them

The obvious route which this pathway should take is to follow the old mining road which will already have a firm base and by taking users through the tentpark will allow them to utilise the kiosk at the tent park and the adjacent public toilet facilities immediately to the north of the tent park.

The proposed amendments will divert away from both the kiosk and the toilet block, both of which are likely to be used by users of this pathway

Thank you for giving Ballina Coastcare the opportunity to comment on this proposal and we earnestly hope that common sense will prevail when the final decision is made

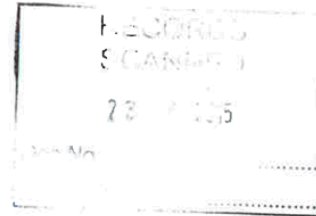
Neil Denison

Hon President - Ballina Coastcare



Office of
Environment
& Heritage

Our Ref: DOC15/419543
Your Ref: Part V:22.2015/1



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

Attention: Mr Anthony Peters – Development and Environmental Health

Dear Mr Hickey

Re: Construction of a Modified Coastal Recreational Pathway in the vicinity of the Flat Rock Tent Park and Northern Car Park Flat Rock – Ballina to Lennox Head Coastal Recreational Path

Thank you for your letter dated 15 October 2015 regarding the Modified Coastal Recreational Pathway requesting comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide input and apologise for the delay in responding.

We note that the project will be assessed in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and that the Ballina Shire Council will be the determining authority.

The OEH has statutory responsibilities relating to Aboriginal cultural heritage, biodiversity, OEH estate, historic heritage, acid sulphate soils, flooding, stormwater, coastal erosion and estuary management and thus the detailed comments provided by the OEH are limited to these matters.

We have reviewed the documents supplied and advise that, although we have no concerns about acid sulphate soils, OEH estate, historic heritage or estuaries and flooding, a number of issues are apparent with respect to the assessments for biodiversity and Aboriginal cultural heritage. With respect to Aboriginal cultural heritage, the OEH has reviewed the Cultural Heritage Assessment report. The OEH comments are discussed in detail in **Attachment 1** to this letter.

The OEH recommends that prior to determining the proposed activity:

1. An Aboriginal Heritage Impact Permit (AHIP) application will be required to enable harm to the gazetted Aboriginal Place and Aboriginal objects. A variation to council's current AHIP relating to the Stage 1 of the Coastal Recreational Pathway between Angels Beach and Sharpes Beach may be an option instead of a new AHIP if the proposed harm is consistent with what is currently permitted and has the support of the registered Aboriginal parties to the AHIP.

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2. The Ballina Shire Council should clarify the presence of any endangered ecological communities that may be directly or indirectly impacted by the proposal and the assessment of significance re-applied accordingly in the REF.
3. The council should quantify biodiversity impacts and gains to ensure that a suitable offset proposal can be developed for the proposal. The council should provide the OEH with a copy of the Vegetation Management Plan being developed to detail the proposed offset requirements. The offset requirements should be developed and agreed upon prior to the impact occurring on the site. The OEH would be happy to provide comment on the proposed offset once it has been developed.
4. The council should assess the cumulative impacts of the proposal, including both construction and operational impacts, arising from:
 - a. all clearing activities and operations, associated edge effects and other indirect impacts on cultural heritage, biodiversity and OEH Estate.
 - b. the proponent's existing and proposed development and associated infrastructure as well as the cumulative impact of the development in the context of other development located in the vicinity.

Your attention is also drawn to the Commonwealth legislation, the *Environment Protection and Biodiversity Conservation Act 1999*. If the proposal affects any species requiring consideration under this legislation then approval may be required from the Commonwealth Department of Environment.

If you have any further questions about this issue, Mr Clyde Treadwell, Conservation Planning Officer, Regional Operations, OEH, can be contacted on 6659 8288 or at clyde.treadwell@environment.nsw.gov.au. Please note Clyde works Tuesday to Friday.

Yours sincerely

 18 November 2015

DIMITRI YOUNG
Senior Team Leader Planning, North East Region
Regional Operations

Contact officer: CLYDE TREADWELL
6659 8288

Enclosure: Attachment 1 – OEH Detailed Comments – Modified Coastal Recreational Pathway Ballina to Lennox Head

Attachment 1: Detailed OEH Comments – Modified Coastal Recreational Pathway Ballina to Lennox Head

The Proposal

The proposal involves the construction of a realigned section of the Coastal Recreational Pathway from the northern carpark at Flat Rock to the existing track south of the Flat Rock Tent Park Ballina. The realigned section to be constructed is proposed to be 2.5m in width and 500m in length.

The application and accompanying Review of Environmental Factors (REF) identifies the environmental objectives for the proposal and clearly describes the proposal. The Ballina Shire Council will use these environmental objectives to guide decisions on environmental controls and management of the proposal.

The objectives of the proposal stated refer to:

- the size and type of the proposal and its operation;
- all anticipated environment impacts, both direct and indirect, including level of vegetation / habitat clearing
- the anticipated level of performance in meeting required environmental standards;
- threatened species, populations, ecological communities and their habitats impacted upon;
- the staging and timing of the proposal; and
- the proposal's relationship to any other proposal.

The REF identifies all of the processes and activities intended for the site including details of:

- the location of the proposal and details of the surrounding environment;
- the proposed layout of the site;
- ownership details of any residence and/or land likely to be affected by the proposal;
- maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc. in the locality that may be affected by the proposal;
- a plan showing the distribution of any threatened flora or fauna species and the vegetation communities on or adjacent to the subject site, and the extent of vegetation proposed to be cleared should be provided; and
- methods to mitigate any expected environmental impacts of the proposal.

Aboriginal Cultural Heritage

The alignment of the Coastal Pathway traverses part of the significant East Ballina Aboriginal Place. It is extremely important that there is due sensitivity to the Aboriginal significance of the place and that the Aboriginal community are given suitable opportunity to have input into the alignment of the pathway due to its potential to impact directly and indirectly upon the Aboriginal cultural heritage of the locality, including the values of the Aboriginal Place.

The construction of the Coastal Recreational Pathway (CRP) will require an Aboriginal Heritage Impact Permit (AHIP) from the OEH. A modified AHIP application may be one option to facilitate the construction of the re-alignment of the CRP.

The Review of Environmental Factors contains:

- A description of the Aboriginal objects and declared Aboriginal Places located within the area of the proposal.
- A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places, that exist across the whole area that will be affected by the proposal, and the significance of these values for the Aboriginal people who have a cultural association with the land.
- A description of how the requirements for consultation with Aboriginal people as specified in clause 80C of the *National Parks and Wildlife Regulation 2009* have been met to date and how they will be met as the project progresses.
- The views of those Aboriginal people regarding the likely impact of the proposal on their cultural heritage.
- A description of the actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposal, with reference to the cultural heritage values identified. The construction of the Coastal Recreational Pathway (CRP) requires an Aboriginal Heritage Impact Permit (AHIP) approval from the OEH. A modified AHIP application will be required to facilitate the construction of the re-alignment of the CRP
- A description of any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places.
- A description of any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.

Recommendation

1. An Aboriginal Heritage Impact Permit (AHIP) application will be required to enable harm to the gazetted Aboriginal Place and Aboriginal objects. A variation to council's current AHIP relating to the Stage 1 of the Coastal Recreational Pathway between Angels Beach and Sharpes Beach may be an option instead of a new AHIP if the proposed harm is consistent with what is currently permitted and has the support of the registered Aboriginal parties to the AHIP.

Biodiversity

It appears that the ecological assessment has determined that there are no Endangered Ecological Communities (EECs) within the project area as the vegetation is regrowth and the littoral rainforest elements of this EEC have not yet developed. However the ecological report also states that the removal of vegetation for the project will remove potential EEC habitat.

If the vegetation to be impacted is in a successional stage of developing into littoral rainforest then the ecological report should describe it as such. The current wording causes confusion about the presence or otherwise of an EEC. If an EEC is present and will be impacted by the proposal, this small impact could be factored into the proposed offsetting package.

The OEH supports the proposed mitigation measures as detailed in the ecological report, particularly in relation to ongoing weeding and revegetation. However it is unclear if this work forms part of the proposed offset.

The REF has determined that a biodiversity offset is required to compensate for the impacts of the proposal. The OEH agrees with the findings that the impact to biodiversity will include direct vegetation removal and indirect impacts such as increased edge effects. These impacts need to be quantified to ensure that a suitable offset can be developed to meet the needs of the project.

The OEH notes that a Vegetation Management Plan is being developed to detail the proposed offset requirements. The offset requirements should be developed and agreed upon prior to the impact occurring on the site. The OEH would be happy to provide comment on the proposed offset once it has been developed.

Recommendations:

1. The council should clarify the presence of any EEC's that may be directly or indirectly impacted by the proposal and the assessment of significance re-applied accordingly.
2. Biodiversity impacts and gains should be quantified to ensure that a suitable offset proposal can be developed for the project.
3. Proposed offsets should be agreed upon prior to works commencing on site. The OEH would be happy to provide further advice in relation to a suitable offset package for the proposal.

Cumulative Impacts

The REF does not appear to have assessed the cumulative impacts of the proposal.

Recommendations:

1. Before Ballina Shire Council determines the proposal it should assess the cumulative impacts of the proposal, including both construction and operational impacts, arising from:
 - a. all clearing activities and operations, associated edge effects and other indirect impacts on cultural heritage, biodiversity and OEH Estate.
 - b. the proponent's existing and proposed development and associated infrastructure as well as the cumulative impact of the development in the context of other development located in the vicinity.

enquiries refer

Paul Busmanis

in reply please quote

Trim: 16/14422



1 March 2016

Mr Anthony Peters
Development & Environmental Health Group
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Anthony

Re: Coastal Recreational Path

Thank you for your letter of 23 November 2015 advising of the formal closure of the public submissions dealing with the proposed modified route of the Coastal Recreational Path (CRP) in the vicinity of the Flat Rock Tent Park.

You have presented a summary of some cultural heritage issues raised by the public exhibition of the modified route and have provided an opportunity to respond. We apologise for the delay with responding.

There appears to be two submissions dealing with cultural heritage:

- OEH; confirming the need for a variation or a new Aboriginal Heritage Impact Permit (AHIP)
- Susan and Troy Anderson; one of the project's Registered Aboriginal Parties (RAP), appear to have withdrawn their support for the modified route of the CRP.

Regarding OEH's requirement for a variation or a new AHIP, this is understood and was foreshadowed with OEH at the time of application for the current AHIP. The current AHIP for the original CRP route between Angels Beach and Sharpes Beach specifically excluded the section of CRP affected by the proposed modified route. This was on the understanding that a staged or varied AHIP would subsequently be requested of OEH once a Part 5 determination was made regarding the modified route. This approach is still proposed.

The project's Cultural Heritage Assessment (CHA) was completed in July 2015 by Ian Fox (Ian Fox & Associates) and archaeologist Vanessa Hardy (Cultural Heritage Connections) which at the time included consideration of the modified route in the vicinity of Flat Rock Tent Park. The outcome of the CHA included the reporting of a preference for the modified route, due to the shift of the path further east having less impact on cultural heritage. The completed CHA had support of all three project RAPs, namely the Anderson Family, the Cook Family and Jali LALC.

Regarding the recent letter response from the Anderson Family dealing with the public exhibition of the modified route, a detailed reply has been made by Mr Ian Fox which is attached.

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Page 2
Ballina Shire Council
1 March 2016

It would appear there are a number of matters raised by the Anderson Family letter which do not directly relate to the project's CHA report and the culturally based evidence provided by the CHA. The Anderson Family matters appear to deal with criticism of the thoroughness of consultation and documentation made by Mr Fox (which is required by legislation), the impact on flora and fauna, the role and contribution of the other RAPs (being the Cook Family and Jali LALC) and genealogical matters.

It is worth noting that a separate request has been made by Jali LALC for copies of Anderson Family correspondence dealing with the CRP. This request, forwarded to the Engineering Works Section as CRP Project Manager, was referred to Council's Record Section. A reply has been made to Jali LALC advising of Council's requirement for a GIPA application.

Should there be any other matters which require clarification please contact the undersigned.

Yours faithfully



Paul Busmanis
Engineering Works Manager
Civil Services Group

Attach.



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11 February 2016

The General Manager
Ballina Shire Council
Ballina NSW 2478



Attention Paul Busmanis

I have been asked to formally respond to a letter addressed to Council on Numbahging Elders Group letterhead and signed by both Susan and Troy Anderson. The letter, received at Council on 20 November 2015, raises issues in regard to the Coastal Recreation and Shared Path Project, for which Ian Fox & Associates has been engaged as Council's heritage consultant.

I note that the Anderson's appear to be advising Council of withdrawal of their support for a section of the Coastal Recreation Path route, which in part, was proposed to avoid impact to a registered cultural site and the Flat Rock Tent Park. The intention of the adjusted route is to bypass the more culturally sensitive area and move that section further to the east. OEH approval through an amendment to a current Aboriginal Heritage Impact Permit (AHIP) is required. Input from the three Registered Aboriginal Parties (RAPs); Marcus Ferguson on behalf of Jali Land Council; Lois Cook on behalf of the Cook family; and Troy Anderson on behalf of the Anderson family, is also required.

Through the consultation process I had established that all three RAPs originally supported the route amendment (see Record of Consultation – Appendix 1 of the Coastal Recreation Path [Section 1] Angels Beach to Sharpes Beach Cultural Heritage Assessment). Specifically, on 2 September 2014, during a field assessment with archaeologist Vanessa Hardy, Troy Anderson sought advice from his father, Douglas Anderson, who attended on site and after checking the proposed route variation, confirmed with Troy and myself that the proposal to bypass the Tent Park and shift further east would have less impact on cultural heritage and was a preferred option. It was Douglas Anderson who had provided the original information which lead to the AHIMS registration of a midden/campsite in the south eastern extremity of Flat Rock Tent Park.

In an apparent reversal of previous support for a route variation to the east, the Anderson's express their dissatisfaction with consultations claiming that in their opinion my "methods bordered on harassment". The fact that I kept a "log of the number of times" I contacted people is a legislative requirement in accordance with the OEH document - *Aboriginal cultural heritage consultation requirements for proponents 2010*. Keeping a log of all attempts to make contact and conduct consultation is part of my consultant role.

There are many issues raised which I would dispute, however, I have a different recollection to the claims made concerning my alleged statements about the ancestral connections of the Cook, Anderson and Yuke families. In fact, I recall that copies of family BDM certificates and language related historical documents were given to Troy (at no cost) at our meeting on 10 March 2015 to



discuss the project. At that meeting, Troy also offered to provide project relevant cultural information sourced from his family, but unfortunately and despite further requests, no information was forthcoming by the time the cultural assessment for that section of the project was completed.

The Anderson's letter continues to object to the project route, but no reason or culturally based evidence for that objection is provided or explained. However, I note that the expressed belief that Mabel Anderson (nee Yuke) was born "at East Ballina near where they have planned this proposed new route" is contrary to information contained in her Marriage Certificate 1921/007569. The Marriage Certificate information, presumably provided by Mabel herself as she signed the certificate, states that she was born at Broadwater NSW.

I do not think it is appropriate to comment on the claims made in the letter concerning both Lewis and Lois Cook, other than to say that Lois, representing her family, has every right as a RAP under NSW legislation to be consulted and involved in all aspects of the project. Registered Aboriginal Parties have an important role in ensuring all cultural information is duly considered in the assessment process and it is not appropriate for one party to make unsubstantiated allegations and assertions against another, particularly in a document that purports to be a submission and could be available for public access.

Mention is made of the historical significance and the devastating impact the proposed route change will have on the flora and fauna. The cultural assessment provided evidence that the area surrounding Flat Rock Tent Park was stripped of natural vegetation at the time of sand mining and processing operations between Sharpes Beach and Angels Beach, which took place from the 1950s to the 1970s. Figures 29 and 30 of the assessment report show maps of the cleared and mined areas around Flat Rock Tent Park. Although the revegetated area has more recently been supplemented and maintained by voluntary organisations, such as Dunecare, a significant portion of the vegetation throughout the proposed amended pathway route are introduced species and would not normally occur naturally at that location. Never-the-less, the amended route is positioned to avoid larger mature growth trees where possible.

Each of the three RAPs has been provided information and have been consulted in accordance with OEH consultation requirements. As members of the Jali LALC, and current Board Members, both Susan and Troy Anderson would have effectively received the same information and project update reports twice. Regular consultation and information exchange has taken place with the Jali LALC Sites Officer and CEO and having the matters of the Shared Path and Coastal Recreation Path "discussed in a proper manner" and "voted on" is an issue for the membership of Jali LALC, not Ballina Shire Council.

In my opinion it is wrong for the Anderson's to criticise consultations carried out in accordance with legislation, cast dispersions on fellow members of the Aboriginal community, and in addition to providing their own views, also purport to represent broader community views through an organisation with which they have voting rights. From my perspective, no additional cultural information has been provided in the Anderson's letter that could assist Council in ensuring the assessment process for this project has been anything other than robust and fair. The consultation record demonstrates that the Anderson's have had ample opportunities to contribute, and it is very disappointing that they now for reasons which are unclear, withdraw their previous support for the project.

In the interests of transparency and a fair process I think it is also appropriate that a copy of the Anderson's letter (with due consideration to any legal implications) be provided to the other two

RAPs for the Shared Path and Coastal Recreation Path Project. As encouraged by OEH, it is important that all parties receive equal and open opportunities to participate and provide comment and advice. There is currently no provision for Jali LALC or Lois Cook to make their views known regarding the Anderson's claims and withdrawal of support.

Yours sincerely



Ian Fox.



Our Ref: DOC16/148353
Your Ref:22.2015.1 Cont.1231/05

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: Anthony Peters – Development and Environmental Health Group

Dear Mr Hickey

Re: Coastal Walkway Modified Route

Thank you for your letter dated 9 March 2016 regarding the provision of further information in relation to the proposed modified route of the Coastal Recreational Path (CPR) in the vicinity of the Flat Rock Tent Park and the Northern Carpark at Flat Rock requesting comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide input.

The OEH notes Council's intention to report the Part 5 environmental assessment to a future Council ordinary meeting for determination. The OEH further notes Council intends to apply for either a new Aboriginal Heritage Impact Permit (AHIP) or a variation to the existing AHIP regulating the construction of Stage 1 of the CPR. The OEH also notes the matters Council has provided relating to the Aboriginal cultural heritage matters raised during the public exhibition period.

The OEH's comments regarding Aboriginal cultural heritage management during the proposed works remain consistent with those provided in our correspondence of 18 November 2015. However, the following points are provided for Council's consideration:

- An application for an AHIP or an AHIP variation must provide evidence of support from the registered Aboriginal parties (RAPs) to the project. While it is preferable for the level of support to be unanimous, it is not a requirement of the AHIP consultation process.
- The support of the RAPs for the proposed regulatory instrument to be either a new AHIP application or a variation of the existing AHIP, while again it is desirable to be unanimous, is similarly not a formal requirement of consultation.
- The OEH encourages Council to provide all consultation documentation undertaken at any time throughout the Stage 1 CRP project to the OEH as part of the supporting documentation accompanying any future AHIP application.

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If you have any further questions about this issue, Ms Rosalie Neve, Aboriginal Heritage Planning Officer, Regional Operations, OEH, can be contacted on 66598221 or at rosalie.neve@environment.nsw.gov.au.

Yours sincerely

Owner 20 April 2016.

NICKY OWNER
A/Senior Team Leader Planning, North East Region
Regional Operations

Contact officer: ROSALIE NEVE
66598221

enquiries refer

Paul Busmanis
in reply please quote**Trim: 16/31235**

27 April 2016

Mr Anthony Peters
Development & Environmental Health Group
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Anthony

Re: Coastal Recreational Path

Thank you for your letters of 23 November and 17 December 2015 advising of the formal closure of the public submissions dealing with the proposed modified route of the Coastal Recreational Path (CRP) in the vicinity of the Flat Rock Tent Park.

The table below contains a list of submissions received relevant to the ecological assessment including The Office of Environment & Heritage (OEH).

Submission	Date	Trim Reference
Fran Byrne (Ballina Coastcare)	16 November 2015	15/81403
Dr Lyn Walker	18 November 2015	15/81567
Neil Denison (Ballina Coastcare)	18 November 2015	15/81593
Fiona Folan (Ballina Environment Society)	18 November 2015	15/81635
Shirley White (Angels Beach Dune Care)	17 November 2015	15/81832
Fiona Folan (Ballina Environment Society)	11 December 2015	15/89509
Office of Environment & Heritage (OEH)	18 November 2015	15/82592

In response to the environmental related issues raised during the Public Exhibition process, our consultant ecologist (Blackwood Ecological Services) has provided a letter that represents a consolidated response to the issues raised by the various parties.

We trust the information contained within the attached letter clarifies the issues raised by the various submissions including the OEH.

If you require any further information, please contact the undersigned.

Yours faithfully

Paul Busmanis
Engineering Works Manager
Civil Services Group

Attach.

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File No: 1131/let7
19th April 2016

Paul Busmanis
Engineering Works Manager, Civil Services Group
Ballina Shire Council
BALLINA NSW 2478

Dear Paul

RE: BALLINA TO LENNOX HEAD COASTAL RECREATIONAL PATH, FLAT ROCK TENT PARK ALTERNATIVE ROUTE REVIEW OF RESPONSES

Thank you for providing me with the responses to the exhibition of the proposed Coastal Recreational Path (CRP) realignment at Flat Rock Tent Park. This letter provides comment on the key issues raised in the responses. Investigation of this realignment was undertaken at the request of Ballina Shire Council following a motion that was brought forward at the Ballina Shire Council Ordinary Meeting on the 28th August 2014.

There is substantial overlap between the responses as well as repetition of material. There is also some confusion in the responses (particularly from the Ballina Environment Society) regarding the REF, which was produced by NSW Public Works and not Blackwood Ecological Services, although did incorporate material from the ecological report by Blackwood.

The main issues raised in the submissions relate to the increased tree clearing and vegetation community disturbance that would result from the realignment of the CRP further to the east within more intact areas of dune vegetation. The submissions highlight the findings of the various ecological investigations in this area that have recognised the high conservation value of this dune vegetation. The submissions express a preference for the CRP route to pass through the middle of the Tent Park in this area or, failing that, to stay closer to the eastern boundary of the Tent Park and then follow the roadway/parking area up to the northern carpark at Flat Rock. These options would avoid use of the alignment that passes generally along the bush regenerator's access trail through the dune vegetation.

Specific issues raised in the submissions are addressed in ATTACHMENT A to this letter. ATTACHMENT B examines the issues raised by the Office of Environment & Heritage in their submission.

I have reviewed the findings of the *Coastal Recreational Path Flat Rock Realignment – Ecological Assessment (Blackwood ES December 2014)* in the light of material included in the submissions from OEH, the Ballina Environment Society and others. The conclusions of this report remain valid. The proposed development is unlikely to result in a significant impact on any Threatened (TSC Act 1995) species, populations or ecological community and is unlikely to result in a significant impact on any matters of National Environmental Significance as defined under the Commonwealth EPBC Act 1999.

The methodology to assess vegetation loss and other impacts associated with the revised route was robust and thorough and was designed to enable ready comparison with other sections of the CRP and/or alternative route options. The Ecological assessment report assessed the significance of site vegetation communities in detail and with reference to the descriptions of Endangered Ecological Communities (EECs) listed under the TSC Act (1995).

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The Ecological assessment (Blackwood ES 2014) discusses a series of mitigation measures to manage impacts including management of root zone impacts and ongoing weed management and revegetation works along the edges of the completed path. Engineering design of the final path will need to ensure that the pathway does not exacerbate any potential future erosion of the dune system in this area. Any potential for erosion or sand blow-outs will be reduced by the immediate commencement of revegetation works following the completion of path construction.

A detailed offset strategy has been developed for the CRP and Shared path project as a whole, consisting of assisted regeneration and planting within a series of offset sites along the coastal strip. As vegetation along the route does contain species that form part of EECs nearby where they occur in a more developed and intact situation, tree loss along the proposed realignment will be compensated for at a ratio of 10:1 at the relevant offset site, which is the rate required in the existing consent conditions. This was the approach adopted in the Draft VMP for Stage 1 of the CRP. The use of alternative nearby offset areas consisting of similar habitats meets contemporary standards and is a well-established ecological practice. VMPS have already been produced for several sections of the CRP and Shared path detailing restoration works in nominated offset sites.

With the adoption of the mitigation measures discussed in the Ecological assessment and the successful implementation of the compensatory offset strategy developed in the VMP for the CRP, the impacts of the revised route are considered to be acceptable and manageable and the biodiversity values of the dune system in this area are unlikely to be significantly affected in the longer term.

Please contact me if you require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mark Free', with a stylized, flowing script.

Mark Free
MANAGER / PRINCIPAL ECOLOGIST

ATTACHMENT A ISSUES RAISED IN SUBMISSIONS

Issue raised in submission	Submissions	Response
<i>Increased risk of erosion or sand blowouts within the dune system.</i>	Ballina Environment Society (p2) Fran Byrne (Coastcare)	The Ecological assessment and REF both acknowledge the importance of the dune vegetation in dune stability and erosion control. Amelioration measures have been included to minimise potential impacts associated with erosion, including minimising the clearance corridor and mulching and revegetation of the area adjacent to the path immediately following construction.
<i>Presence of Bitou bush and other weeds</i>	Ballina Environment Society (p5) Coastcare Neil Denison Shirley White Fran Byrne (Coastcare)	The REF states "the majority of the realigned route is relatively undisturbed or regenerating and contains few exotic species" and both the Ecological assessment and REF note the efforts of volunteer regenerators in weed control. The submissions do express concern that Council may have based decisions on the misconception that there was significant presence of Bitou bush in the area subject to realignment but the reports do not create this impression. There are references in the Ecological assessment to presence of Bitou bush along other sections of the route. Table 3 of the Ecological assessment comments on the presence of noxious weeds more generally in the overall CRP Study area but the report elsewhere makes it clear that there is minimal weed presence along the existing landcare trail. The Ecological assessment notes the high conservation values of the area east of the Flat Rock Tent Park and access road and does not suggest that the area contains a high proportion of exotic species.
<i>Access to toilets and kiosks</i>	Ballina Environment Society (p7)	The Ballina Environment Society submission raises concerns that informal tracks may be created to provide direct access to the existing toilet block at Flat Rock as well as raise the suggestion that the overall amenity of the CRP would be improved by passing directly alongside the existing Kiosk and toilet block at Flat Rock. Should the proposed realignment be adopted there is some increased potential for informal tracks to the toilets to be created. Signposting at the existing sand track/lookout platform from the Tent Park to the beach would assist in making users of the CRP aware that there is existing toilet access.
<i>Overstatement of the significance of the existing track north of the Flat Rock viewing platform.</i>	Ballina (p3/4) Environment Dr Lyn Walker (p3) Society	Both the REF and Ecological assessment make it clear that the existing track is a bushland rehabilitation access track rather than an existing pedestrian track subject to regular use. The Ecological assessment is clear that additional vegetation removal will be required for construction of a formal path in this area.
<i>Tree loss.</i>	Ballina Environment Society (p3) Dr Lyn Walker (p3) Coastcare	The Ecological assessment and REF reflect that estimated tree loss is higher with the adoption of the realigned route and that these trees are part of a more intact community with less weed presence and a more significant role in dune stabilisation. One submission suggests that tree loss comparisons are not valid as there is no genuine need to remove

		vegetation west of the Flat Rock access road if the approved alignment were to proceed. Removal of vegetation in this area is part of the proposed works associated with the approved alignment and was assessed accordingly.
<i>Lack of consultation.</i>	Ballina Environment Society (p4) Dr Lyn Walker (p2)	The REF reports on consultation with local landcare groups in 2012. The submissions are correct in that this consultation process did not include discussion of a potential route through dune vegetation in this area as the concept design involved a path through the existing Tent Park site
<i>Compensatory works.</i>	Ballina Environment Society (p6)	The Ballina Environment Society submission suggests that compensatory works away from the impact area are of little relevance. The use of alternative nearby offset areas consisting of similar habitats is a well established ecological practice and VMPS have been produced for several sections of the CRP and Shared path detailing restoration works in nominated offset sites.

**ATTACHMENT B
RESPONSE TO OFFICE OF ENVIRONMENT AND HERITAGE COMMENTS**

OEH have also provided comment on the proposed realignment. Comments related to ecological issues are addressed below:

- *Presence of any EECs in the Study area.* The Ecological assessment includes an assessment of site vegetation and the potential presence of EECs and applies the Assessment of Significance accordingly.
- *Suitable offsets for vegetation loss.* Council's consent conditions for the approved route required that an offset package be developed that addresses compensation at a ratio of 10:1 for EEC vegetation and somewhat lower for other vegetation types. An overall offset strategy has been developed on this basis and individual VMPs have been produced for several sections of the CRP and Shared path detailing restoration works in nominated offset sites.
- *Cumulative impacts.* Cumulative impacts of the proposed Shared path and CRP network in the context of other development in the vicinity were addressed by Council in their original assessment of the approved route.
- *Commonwealth EPBC Act considerations.* The Ecological assessment includes an assessment of the proposed impacts in the context of the EPBC Act (1999) and concludes that referral to the Minister is not required.
- *Potential presence of EEC vegetation within the area subject to the proposed realignment.* The Ecological assessment discusses this in detail and concludes that no areas of existing EEC vegetation are likely to be impacted. As vegetation along the route does contain species that form part of EECs nearby where they occur in a more developed and intact situation, tree loss along the proposed realignment will be compensated for at a ratio of 10:1 at the relevant offset site, which is the rate required in the existing consent conditions. This was the approach adopted in the Draft VMP for Stage 1 of the CRP.



Office of
Environment
& Heritage

Our Ref: DOC16/209818
Your Ref: 22.2015.1 Cont 1231/156454

General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Attention: Anthony Peters – Development and Environmental Health Group

Dear Mr Hickey

Re: Ecological Proposed Modified Coastal Recreation Path Route East Ballina

Thank you for your letter dated 28 April 2016, in response to our letter of 18 November 2015, regarding the Proposed Modified Coastal Recreation Path Route at East Ballina, requesting additional comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide further input.

Your letter provides further detail on biodiversity and ecological values, enabling us to consider the potential direct and indirect impacts of the proposal. It identifies an offset ratio of 10:1 for endangered ecological communities and a lower ratio for other vegetation and states the OEH offsetting principles were considered in the preparation of the Vegetation Management Plan (VMP) for the proposal.

We request the proposed compensatory rehabilitation works outlined in the VMP be subject to a longer management regime, beyond five years, to ensure the offsets are viable in the long term. The OEH recommends that, prior to determining the proposal, the council is satisfied that the quantum and type of vegetation offset and the mechanism for securing the offset accord with the OEH offset principles.

If you have any further questions about this issue, Mr Clyde Treadwell, Conservation Planning Officer, Regional Operations, OEH, can be contacted on 02 66598288 or at clyde.treadwell@environment.nsw.gov.au. Please note Clyde works Tuesday to Friday each week.

Yours sincerely

 6 May 2016

DIMITRI YOUNG
Senior Team Leader Planning, North East Region
Regional Operations

Contact officer: CLYDE TREADWELL
02 66598288

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NSW POLICE

**Richmond Local Area Command
Senior Constable Laleynya Ryan
Crime Prevention Officer**



5 Zadoc Street, Lismore NSW 2480

Telephone: - 02-66260569. E/N 65599.

Email: ryanlaleynya@police.nsw.gov.au

The General Manager
Ballina Shire Council
Tamar Street,
Ballina NSW 2480.

Attention: Mr Anthony Peters

Development Application No: 22.2015.1

Proposal: Construction of a Modified Route of the Coastal Recreational Pathway on the Vicinity of the Flat Rock Tent Park and Northern Carpark at Flat Rock.

Assessment of Development Application Using Crime Prevention Through Environmental Design (CPTED) Principals. Section 79C Planning and Assessment Act

Recommendations;

- The preferred route would be the original route that is directly adjacent to the tent park. Due to its close proximity to the tent park, it will be used more often and therefore additional casual surveillance for the path users and the holiday makers in the tent park. The modified route, although more serene with a natural outlook would not be the safer route for its users.
- With the path extending through to Flat Rock Beach car park, this would provide informal security by the way of casual surveillance. Car parks such as these are isolated and become hot spots for 'steal from motor vehicle' offences. By having the path adjacent to the car park, thieves would not be able to hide and therefore the vehicles would be safer.

- A 1.5m transparent fence should be erected along the eastern side of the Flat Rock Tent Park to ensure access control. The type of fencing to be used could be wire or black pool fencing. There must be clear vision from the park onto the path.

Disclaimer:

NSW Police has a vital interest in ensuring the safety of members of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property.
- Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.
- The evaluation/report is a confidential document and is for use by the person/organisation referred to on page one.
- The contents of this evaluation/report are not to be copied or circulated otherwise than for the purposes of the person/organisation referred to at the start of the Assessment.

NSW Police hopes that by using the recommendations contained within this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.



Laleynva Ryan
Senior Constable
Crime Prevention Officer
2 March 2016