

1. **Attendance and Apologies**

2. **Election of Chair**

The Committee should elect a new Chair and decide if the term for the Chair should be 12 months or the term of the current Council (ie until September 2020). Either option is acceptable.

3. **Declarations of Interest**

4. **Deputations**

6. **Confirmation of Minutes 14 July 2016**

A copy of the minutes of the previous meeting held 14 July 2016 was distributed.

RECOMMENDATION

That the minutes of the previous meeting held on 14 July 2016 be accepted as a true and correct record.

It was noted that Eoin Johnston, Wayne Garrard and Sheila Aveling were apologies for the meeting on 14 July 2016 but the apologies were omitted from the minutes.

Ballina Shire "C" Ward Committee Minutes 14 July 2016 at 5:00 pm

1. **Attendance and Apologies**

Cr Ben Smith (Chair)
Cr Paul Worth
Cr David Wright (Mayor)

Jane Gardiner – Alstonville Plateau Historical Society
Ina le Bas- Alstonville Plateau Historical Society
Elva Fitzell- Alstonville Rotary Club
Mary Birch- Wollongbar Progress Association
Ron Birch- Wollongbar Progress Association
Lois Wright- Plateau Seniors
Les Wiles- Alstonville Lions Club
Malcolm Johnson- Ballina Environment Society
Belinda Cordery- Alstonville Chamber of Commerce
Debbie Chapman- Alstonville Chamber of Commerce

Others in Attendance

Therese Crollick- visitor

Staff in Attendance

Vince Hunt – Acting Group Manager Development and Environmental Health

Apologies

Cr Keith Johnson

The apologies were accepted.

2. **Declarations of Interest**

Nil

3. **Confirmation of Minutes 12 May 2016**

That the minutes of the previous meeting held on 12 May 2016 be accepted as a true and correct record.

4. **Deputations**

Nil

Ballina Shire "C" Ward Committee Minutes 14 July 2016 at 5:00 pm

5. Business arising from Minutes – 12 May 2016

(a) Tree Removal – South and Green Streets, Alstonville

The issue of tree removal was raised and request made for Council staff to look into replacing the trees removed from the footway with suitable plants.

Mr Hunt advised the matter will be referred to Council's Civil Services Group Open Spaces Officer, James Brideson.

(b) Container Deposit Scheme

Malcolm Johnson again raised the issue, citing successful schemes in Vancouver, Canada, particularly with charity group participation in raising funds. Cr Ben Smith advised he would take up the matter further with Council's Civil Services Group Manager, John Truman in providing depository centres, particularly at the BSC Waste Management Facility.

The Mayor advised there is now provision for the disposal of disused paint and batteries at the BSC Waste Management Centre.

The matter will be referred to Council's Group Manager of Civil Services, John Truman for comment.

(c) Disabled Parking in Main Street Alstonville CBD

Matter raised by Elva Fitzell. The Mayor advised that in consultation with Council's Civil Service Group Manager, John Truman, that it is not feasible to provide satisfactory disabled parking in the main CBD area due to the camber, slope and other physical constraints with the existing street system.

6. Council Documents on Exhibition

The Committee were advised of the following documents that are currently on exhibition:

- Draft Policy Water Metering closing 8 June 2016
- Draft Policy Investments closing 8 June 2016
- Draft Asset Management Plans closing 8 June 2016
- Alstonville Swimming Pool Redevelopment closing 8 June 2016
- Ballina Swimming Pool Redevelopment closing 9 June 2016
- Rezoning Planning Proposal Greenwood Place/Blue Horizon Drive Lennox Head closing 1 July 2016
- Alstonville Futures Strategy 2016- 2035 Survey available on Council's web page July- Sept 2016

Therese Crollick raised her concerns with the upgrading of Council's swimming pools. M/s Crollick advised she has a background in swimming pool coaching and competition and is concerned the proposal to install 16 metre warm up/cool down pools does not meet with regional and state competition events, and they need to be a minimum 25 metres in length and 4 lanes width.

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The Mayor explained the process of community consultation that has occurred including the preparation of the design for the Part V applications.

Council's staff involved in the pool design proposals are to be advised of M/s Crollick's concerns and provide comment.

Cr Ben Smith requested that both pool redevelopment applications be referred to the full Council for determination. Accordingly, Council's Development Services Section have been advised of this request.

The matter will be referred to Council's Jordan Robinson (pools) for comment. Council's Manager Development Services has been advised of request to report applications to the full Council.

7. **Items raised by members of the Committee**

Nil

8. **General Business**

(a) Tibouchina Club

Les Wiles raised concerns over the increase in lease fees of the Alstonville Entertainment Centre for the above not for profit Club. The Club has approximately 50-60 members.

The Mayor advised there are considerable costs in running the centre, however any concerns should be submitted in writing to Council (Jordan Robinson).

Tibouchina Club was advised to submit a request in writing to Council. Council's Jordan Robinson has been advised.

(b) Bullwinkel Park

Malcolm Johnson raised the issue of demolition of the existing shed due to damage by floodwater inundation. He has been liaising with Council's Civil Services Group (James Brideson), where it has been determined to demolish the shed, leave the existing concrete slab and replace with seating.

It was discussed that the playground and carparking areas need to be relocated clear of the floodway. Cr Worth advised that carpark and other drainage maintenance works are proposed where discussions have been held with Council's Civil Services Group Manager.

Mr Johnson was advised the matter will be referred to Council's Civil Services Group Manager, John Truman for comment.

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(c) Business Awards

Belinda Cordery advised that the business awards night is to be held on the 23 July 2016, details were given.

(d) School Signage Freeborn Park

Belinda Cordery advised that the Chamber had been approached by one of the local schools about providing a signage board, adjacent the "blue board" in Freeborn Park. Suggestion was for a coreflute type sign for school event postings.

Council's Development and Environmental Health and Civil Services Groups are to investigate options, including funding.

(e) Alstonville Futures Strategy Survey

Cr Ben Smith advised of the current survey that is available on Council's web page (July- September 2016), where all should encourage the community to contribute.

There was some discussion regarding the recent workshop held in the CBD, that it was rather low key, and that another be held with a more prominent display and attendance.

Council's Strategic and Community Facilities Group have been advised.

(f) Alleged Tree Poisoning

Ron Birch advised of an alleged fig tree poisoning on the public footway outside Wollongbar Pre-school. He has advised Council's Amy Cahill who is investigating the matter as the tree is within Council's leased area.

Council's Amy Cahill has been advised and is to provide comment.

(g) Ina le Bas

Ina le Bas advised of proposed maintenance works to Crawford House with the written scope of works distributed. The works include, pest management, asbestos review by Council, installation of lighting, internal painting quotes, carpet quotes. Graffiti has recently been removed from the storeroom door.

(h) Councillor Retirement - Keith Johnson

A specific mention of Cr Keith Johnson's imminent retirement from the Committee and full Council was given by Cr Ben Smith and Mayor David Wright.

Cr Johnson was thanked for his significant contribution to the community over many years, where he has always demonstrated a sharp mind and in particular, his contribution to the sound financial management of Council.

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Les Wiles also thanked the Mayor and Cr Ben Smith for their positive contributions to the Committee and operations of Council in general.

(i) Councillor nominees

The Mayor and Cr Smith encouraged anyone wishing to nominate themselves as a Ballina Shire Councillor, attend the information evening next Wednesday 20 July 2016 at the Kentwell Community Centre.

9. Next Meeting

Given that the Local Government election is to be held on Saturday 10 September 2016 it has been decided that the next meeting of C Ward will be held on **Thursday 10 November 2016** at 5.00 pm.

MEETING CLOSURE

6.00 pm

5. Membership

Following the Council election it is normal practice for the elected Council to review its Committees and their membership.

In respect to the Ward Committees, Council has resolved to retain all three Committees (A, B and C) and all existing members are entitled to continue with their membership.

Council also resolved to call for expressions of interest for further membership, in case there are any community based groups interested in joining.

The expressions of interest advertising commenced on 26 October and will close on Friday 25 November 2016.

The following group has tendered their resignation:

- Sheila Aveling, Tintenbar School of Arts Inc

6. Code of Conduct

As this is a new term of Council it is important for all members to be aware of Council's Code of Conduct, which applies to Councillors, Council staff, members of council committees and various other parties.

A copy of the Code of Conduct is available from our website at the following link and it is important that all members of the Ward Committee are aware of its contents.

https://www.ballina.nsw.gov.au/cp_themes/default/page.asp?p=DOC-QQX-54-48-10

The key message from that document is that all members of the committee must act ethically, honestly, fairly and treat all members, and their views, with respect.

7. Business Arising from Minutes –14 July 2016

(a) Alleged Tree Poisoning – Wollongbar Preschool

Wollongbar Preschool advised Council staff of the tree poisoning in July. Staff requested the preschool to contact the Police and file a report as it may have been deliberate action by an adjoining resident. Staff also requested Council's field staff to inspect the tree.

NSW Police declined to receive a report or investigate the circumstances surrounding the damage to the tree as there was no proof of who had caused the damage.

The staff inspection occurred on 19 July 2016 and the report prepared indicated that it appeared the tree had been poisoned, was unlikely to recover but at this stage was stable and was not in a dangerous condition; however, the ultimate recommendation was for total removal. In light of the advice of the Police, there is little Council is able to do to pursue any action in relation to this damage.

The preschool have engaged an arborist to remove the tree and this is anticipated to occur no later than 7 October 2016.

(b) School Signage Freeborn Park

A response has been provided to the Chamber from Council's Corporate Communications Section approving the request for a signage board within Freeborn Park to promote community events.

(c) Bulwinkel Park

Following damage from floodwater, Council staff are currently working on the relocation and upgrade of the playground in Bulwinkel Park. These works are partly funded through insurance, with the remainder funded from the Playground Upgrade and Improvement Program. These works will be undertaken in the 2016/17 financial year.

There are currently no funds allocated in the 2016/17 budget to undertake other works to infrastructure within the reserve. Council staff will continue to liaise with the community regarding the works required, and develop detailed costings for future budget considerations.

(d) Container Deposit Scheme

The Government has announced it will be implementing a Container Deposit Scheme. Staff have attended two briefings with the EPA however at this point in time there is no clear information about how the scheme will operate or be implemented. Council has recorded its strong support for the introduction of a CDS and as such staff will continue to monitor Government announcements and be proactive in response so that we can participate in the scheme at the earliest possible opportunity. We will provide updates to the community through our published material as soon as further information is known.

(e) Replacement of Trees – South and Green Streets, Alstonville

The shrubs were removed at the request of the Showground having regard to public safety concerns and Councils Urban Vegetation on Public Land policy. The previous shrubs were non compliant with policy and safety requirements.

The shrubs encroached, and in some areas completely covered the entire footpath limiting the access for pedestrians. Compliance with our current policy requires a 1.5 metre access be maintained and no trees/shrubs be planted with 9 metres of an intersection to provide safe clearances for vision for vehicles. There have been complaints that when events are occurring at this location cars cannot park as the shrubs prevented exit from the passenger side of vehicles. This means pedestrians, including people with prams and young children were required to walk on the road to get to the entrance of the showground whenever events were held such as markets, equestrian, dog trials, annual show and other events held at the Entertainment Centre. The arrangements also made it impractical for access by Council's mowers to maintain this verge area.

As a result, staff agreed to comply with the Caretaker's request to remove the shrubs and grind the stumps.

At this stage replacement trees are not proposed. This would normally be the responsibility of the adjacent landowner (The Alstonville Agricultural Society) and approval is required after submission of a landscape plan to ensure policy compliance and suitability of the proposal.

(f) Slippery Pavements in Freeborn Park – "C" Ward 12 May 2016

In regards concerns with the slipperiness of the paving around Freeborn Park and the ramps from the public toilets to the bus stop on the main street of the Alstonville CBD. The birds that rest at night in the central cedar tree in the park tend to create a majority of the mess that cause the surface residue problems.

Council recently arranged for a slip test to be carried out in that area and the test produced good results. However this can relate to the circumstances surrounding the testing period, e.g. testing post cleaning or after heavy rainfall etc. which both tend to remove the bird residue.

Council has endeavoured to maintain a regular cleaning program under existing budgets however we realise the shortfalls because of the nightly bird problem and that there is need to look at other approaches to this situation. We are currently looking at alternative options and a trial of lighting the tree at night in an attempt to keep the birds away has recently commenced.

It is clear that the cost of cleaning the bird mess off daily would be expensive to the community and therefore if the trial proves successful it would be a positive result. We hope that any concerns are allayed, as Council is looking for an efficient method to rectify the problem.

(g) Speed limiting of gopher vehicles on footpaths

The following matter was raised at the 12 May 2016 meeting of the Committee.

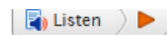
General discussion and advice. Gopher drivers are regarded under the road rules to be pedestrians if their speed is less than 15 kph. The Committee sought that Council again raise with the State Government concern that the road rules do not adequately address gopher use.

Staff advise as follows:

Below is advice from the NSW Centre for Road Safety website <http://roadsafety.transport.nsw.gov.au/stayingsafe/pedestrians/motorisedwheelchairs/>

As can be seen below, the speed limit is 10 kph. Speed zones and limits in NSW are administered by NSW Road and Maritime Services (RMS). Compliance is a matter for NSW Police. Councils do not have a role in the setting of speed limits or their enforcement.

Motorised wheelchairs



What are motorised wheelchairs?

Motorised wheelchairs are mobility aids with two or more wheels and have a top speed of 10km/h on level ground. Mobility scooters or 'gophers' are classified as motorised wheelchairs. A motorised wheelchair does not include a wheeled recreational device such as a motor scooter, pram, stroller, trolley or any other motor-assisted machine.



Who may use them?

Motorised wheelchairs are specially built to transport people who are unable to walk, or have difficulty walking.

Must they be registered in NSW?

No, motorised wheelchairs do not require registration in NSW. They do not require third party insurance.

Do users need a licence?

No, a licence is not needed to use a motorised wheelchair in NSW.

Is a user a pedestrian or a driver?

A motorised wheelchair user is generally considered to be a pedestrian, and must comply with the NSW Road Rules that apply to pedestrians. To ensure motorised wheelchairs can mix safely with other pedestrians, they must meet the requirements of NSW Road Rules 2008.

Requirements of motorised wheelchairs

A motorised wheelchair in NSW must:

- Not have the capacity to travel faster than 10 km/h

As a user, you must:

- Never exceed 10 km/h
- Have a reasonable need to use a wheelchair because of physical disability or limited mobility
- Obey all pedestrian road rules
- Not cause a traffic hazard by moving into the path of a driver
- Not unreasonably obstruct the path of another driver or pedestrian
- Not be affected by alcohol or drugs when travelling on a road or road-related area such as a footpath

8. Council Documents on Exhibition

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

- **Development Control Plan Amendment Proposal - 16 Tara Downs, Lennox Head - Special Area Controls - Ballina Shire Development Control Plan 2012, closing date 2 September 2016**

Council has prepared Draft Amendments to Chapter 4 – Residential and Tourist Development of the Ballina Shire Development Control Plan 2012.

Draft Amendments provide for the following matters:

- Incorporation of 16 Tara Downs within the Special Area Control Map – Residential
- Incorporation of clause 4.6 - *16 Tara Downs, Lennox Head* within Chapter 4. Clause 4.6 details proposed requirements relating to vegetation buffers, bushfire asset protection zones and building envelopes applicable to future residential development on this site once rezoned for residential purposes.
- **Draft Policy - Building Over Council Assets, closing date 6 July 2016**
- **Draft Policy - Liquor Licence Application, closing date 6 July 2016**
- **Draft Policy - Leasing and Licensing Community Land, closing date 6 July 2016**
- **Draft Policy – Management of Contaminated Land, closing date 14 September 2016**
- **Draft Policy – Public Art, closing date 14 September 2016**
- **Draft Policy – Markets on Public Land, closing date 14 September 2016**
- **Draft Policy – Events on Public Land Policy, closing date 5 October 2016**
- **Draft Policy – Voluntary Planning Agreements, closing date 5 October 2016**
- **Draft Policy – Naming of Roads, Bridges and Public Places, closing date 5 October 2016**
- **Draft Policy – Street Lighting Shielding, closing date 16 November 2016**
- **Draft Policy – Urban Vegetation on Public Land, closing date 16 November 2016**

The above draft policies have been reviewed as part of Council's normal program of reviewing policies.

- **Draft Policy - Donations to Community Sporting Groups Policy, closing date 14 September 2016**

This is a new policy formulated to assist with managing requests for financial assistance from sporting groups. Council often receives requests from sporting groups to upgrade sporting facilities. These requests are typically made after a local group has been successful with a grant application and/or if the group offers substantial in kind contributions.

- **Ballina Shire Development Control Plan 2012 Draft Amendment - Skennars Head Village Expansion Area, closing date 16 September 2016**

Council has prepared Draft Amendments to Chapter 2 – General and Environmental Considerations and Chapter 3 – Urban Subdivision of the Ballina Shire Development Control Plan 2012 (the DCP).

The Draft Amendments involve the following:

- Incorporation of the Skennars Head Village Expansion Area within the Special Area Control Map – Subdivision
- Incorporation of Section 5.7 – Skennars Head Village Expansion Area within Chapter 3. This section details proposed requirements relating to the future subdivision of the land, including layout, open space, infrastructure provision and environmental considerations
- Amendment of clause 3.1.2 E of Chapter 3 to include provisions relating to dual reticulation
- Amendment of clause 3.6 of Chapter 2 to incorporate mosquito control considerations into the stormwater management provisions of the DCP.

- **Policy – Asbestos Management, closing date 3 August 2016**

This is a new policy based on the following guidelines and Model Policy.

In November 2010 the NSW Ombudsman released a report called Responding to the asbestos problem: The need for significant reform in NSW. The report highlighted the need for greater support and advice to Local Government to increase their knowledge regarding the roles and responsibilities of asbestos management.

In response to the Ombudsman's Report the NSW Government announced the establishment of a Central Coordination Body – The Heads of Asbestos Coordination Authorities (HACA). The aim of HACA is to improve the management, monitoring and response to asbestos issues by developing coordinated programs. HACA was given the task of developing:

- a state-wide asbestos plan
- a model asbestos policy and technical support for local councils; and
- an extensive educational campaign to raise public awareness.

In November 2012 the Office of Local Government Department of Premier and Cabinet released the 'Model Asbestos Policy for NSW Councils'.

The Model Policy was developed by the Local Government and Shires Association of NSW (LGSA) on behalf of HACA to promote a consistent approach to asbestos management by Local Government across NSW.

The Office of Local Government Department of Premier and Cabinet in May 2013 issued Guideline - Model Asbestos Policy for NSW Councils under Section 23A of the Local Government Act 1993.

A guideline issued under S23A must be taken into consideration by Council before exercising any of its functions. In this instance Council is required to consider the Model Asbestos Policy for NSW Councils when developing, adopting and implementing an asbestos policy for their local government area (LGA).

More recently HACA revised the Model Asbestos Policy and released the new Model Policy earlier this year.

- **Planning Proposal BSCPP 14/005 – 44 to 52 Blue Seas Parade, Lennox Head and draft amendments to Ballina Shire Development Control Plan 2012, closing date 4 November 2016**

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 2012 in respect to land described as part Lots 1 and 2 DP 1165957 and adjoining section of Blue Seas Parade, Lennox Head.

The planning proposal proposes to rezone part of Lot 1 from RU1 Primary Production zone to R2 Low Density Residential zone. In respect to part Lot 2 the planning proposal proposes to remove the Strategic Urban Growth Area affection from this land. A mixed minimum lot size regime of 600m² and 1,200m² is nominated for the proposed R2 zoned area. The R2 zone and 600m² minimum lot size have also been applied to a portion of Blue Seas Parade which adjoins Lot 1.

Draft amendments to Ballina Shire Development Control Plan 2012 have also been prepared to introduce site specific provisions for future residential development upon part Lot 1. These provisions include minimum rear building setback distances, and certain geotechnical requirements.

- **2015/16 Annual Financial Statements, closing date 16 November 2016**

The Annual Financial Statements to June 30 2016, together with the Auditor's Report will be presented to Council's Ordinary Meeting 24 November 2016.

Interested persons can make submissions in respect of the financial reports.

- **Proposed Fees and Charges for Flat Rock Tent Park (1 February 2017 to 31 January 2018), closing date 7 December 2016**

Interested persons can make submissions in respect to the proposed fees for Flat Rock Tent Park.

- **Draft Ballina Bike Plan, closing date 14 October 2016**

A significant effort is being made to make Ballina Shire a bicycle-friendly environment and to better integrate cycling as an active transport option into our existing transport network. The development of a Bike Plan for Ballina has been undertaken in response to this and to provide a coordinated and strategic approach to delivering bicycle infrastructure and education across the Shire.

The development of the Bike Plan aligns with Council's Community Strategic Plan (2013-2023) to provide a more connected community, a healthy community and a healthy environment.

Development of the Plan is also a commitment of Council's Road Safety Strategy (2014/15-2023/24) and is needed in order to improve path connectivity within our Shire and with neighbouring Local Government Areas while maximising opportunities to separate cyclists and pedestrians from traffic.

The Bike Plan will ensure existing network commitments, including the Coastal Recreational Pathway and Shared Path, the NSW Coastline Cycleway, and shared path projects detailed in the Pedestrian Access and Mobility Plan (PAMP) (2010 and reviewed in 2013), forming part of a well-planned bicycle network. The adoption of the Plan will also assist Council in securing grant funds for specific projects in the Plan.

- **Open Space and Community Facilities Contributions Plan 2016 (New), closing date 14 October 2016**

The Ballina Shire Contributions Plan (2008) authorises Council's collection of monetary contributions from residential and tourist developments in all parts of the shire towards the provision of open space and community facilities. It also provides for contributions from development in the Wollongbar Urban Expansion Area for various road and access infrastructure. The plan became operational on 1 November 2008.

To promote good governance and the public interest, developer contributions plans (also known as s94 plans) are subject to regular review in order to:

- monitor development trends and income received by the plan;
- ensure that contributions rates reflect actual costs incurred by the plan; and
- enable alteration to the works schedule if development rates differ from original expectations and to reflect completed initiatives.

Consequently, the Ballina Shire Contributions Plan has been reviewed having regard for the above.

- **Martin Street Boat Harbour Precinct Master Plan, closing date 5 October 2016**

The development of the Martin Street Boat Harbour Master Plan during 2015 and 2016 has concluded with the final public exhibition of Report No.3: Detailed Master Plan.

- **Nominate a Local Hero – 2017 Australia Day Awards, closing date 2 December 2016**



Local heroes may not wear a cape and mask but they often go about their good deeds without too much fanfare.

You might come across them daily, or maybe only every so often - but local heroes make an impression through the positive contribution they are make to our community.

Each year Ballina Shire Council recognises our local heroes through the Australia Day Awards.

Local heroes are nominated by family members, friends, colleagues and community members.

9. Items raised by members of the Committee

10. General Business

11. Next Meeting

Thursday 9 March 2017 at 5.00 pm