

1. **Attendance and Apologies**

2. **Appointment of Chair**

The appointment of a Chair (being a Councillor) is required following the Local Government Election. The appointment could be for 12 months or the term of the current Council (ie until September 2020). Either option is acceptable.

3. **Declarations of Interest**

4. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held 18 July 2016 were distributed.

RECOMMENDATION

That the Minutes of the "B" Ward Committee held 18 July 2016 be taken as read and confirmed.

Ballina Shire "B" Ward Committee Minutes 18 July 2016

1. Attendance and Apologies

Members

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

Alan Veacock, Ballina Heights Resident Action Group
Fran Byrne, Coastcare
Sheila Aveling, Tintenbar School of Arts Inc
Darel Vidler, Lennox Head Combined Sports Assoc
Graham Shaw, Lennox Head Residents Association
Lorraine Leuckel, Marine Rescue Ballina
Lyn Walker, Ballina Environment Society

Observers

Mary Birch, Member C Ward Committee
Ron Birch, Member C Ward Committee

Council Staff

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

Apologies

Shaun Eastment, Lennox Head Landcare
Ian Duncan, Knockrow/Newrybar Residents Group

2. Declarations of Interest

Nil.

3. Confirmation of Minutes

That the Minutes of the "B" Ward Committee held 16 May 2016 be taken as read and confirmed. (Mr Veacock/Mr Shaw).

4. Deputations

Nil

5. Outstanding Business

Nil

Ballina Shire "B" Ward Committee Minutes 18 July 2016

6. Business with Notice from Members

Note: The following items had been submitted by Mr Veacock on behalf of BHRAG but unfortunately were not received prior to the Committee agenda for this meeting being finalised and distributed to members.

Mr Truman had provided a written response in relation to each matter raised. Mr Truman's comments were sent to Mr Veacock and distributed to each Committee member at the meeting.

Each item was discussed as follows:

a) Cumbalum Interchange

The two key issues here relate to, firstly, heavy rainfall events causing part of Tamarind Drive and the roundabout to become unserviceable from time to time and secondly, the desire for additional ramps to access the Pacific Highway Ballina Bypass at this location.

Mr Truman confirmed that the RMS is currently investigating options to address the road inundation issue and information will be distributed when these investigations are further advanced.

In regard to the provision of additional access ramps to the highway, Committee members endorsed the Council's current actions seeking the State Government to commit to this project.

b) West Ballina

Mr Truman advised that Council is continuing with its negotiations with RMS to assess the practicality and viability of using Flathead Lane as an interim measure to connect Tamarind Drive and the Teven Road/Pacific Highway interchange.

BHRAG will be kept informed when further substantive information is to hand.

c) Deadmans Creek Road Roundabout Redevelopment

The information was noted.

d) Developer Contributions

Members appreciated receiving information concerning the operation of S.94 Developer Contributions Plans for provision of infrastructure associated with new development.

Council's inability to access developer contributions beyond the current State Government cap was noted.

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7. **Council Documents on Exhibition**

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

8. **Business Without Notice**

(a) **Sheila Aveling – Tintenbar Hall and Tintenbar Oval**

Ms Aveling noted that the current access into the Tintenbar Hall has substantially deteriorated due to recent heavy rainfall.

She also advised that maintenance work on the pavilion within the public reserve is nearing completion.

(b) **Graham Shaw – Residential Building Heights**

Mr Shaw indicated he is aware of views by some Lennox Head residents that the residential building height provisions contained within Council's Local Environmental Plan should be amended to preclude construction of buildings greater than two storeys.

Mr Barnier noted that the Council had very recently considered a proposal as suggested, but had declined to take such action.

(c) **Graham Shaw – Lennox Head Commercial Centre Upgrade**

Mr Shaw enquired about the status of this project.

Mr Truman advised that the matter is under consideration. However, available staff resources are currently deployed on projects within the work program which have higher priority.

(d) **Graham Shaw – Proposed Bicycle Track, Ocean Breeze Reserve**

Mr Shaw enquired about the status of this project.

Mr Truman indicated he is endeavouring to report the matter to either the July or August Ordinary Council Meeting.

(e) **Graham Shaw – Proposed Ski Jump Facility, Lake Ainsworth Sport and Recreation Centre**

Mr Shaw enquired about the status of this matter.

No further information is to hand, beyond the Government's recent media announcements concerning the project.

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(f) Lyn Walker – Activities of Ballina Environment Society

Dr Walker noted that the main interests of the Society currently relate to the Government's review of Far North Coast councils' E Zones within their local environmental plans, also reviewing the Government's draft biodiversity legislation and review of Crown Land administration.

Dr Walker also provided comment about the proposed infrastructure at the Lake Ainsworth Sport and Recreation Centre in regard to environmental impact assessment and management of stormwater/drainage discharge.

(g) Lyn Walker – Waste Management Adjacent to Lake Ainsworth

Dr Walker urged Councillors to advocate for waste receptacles not being provided in the Lake Ainsworth foreshore master planning. She suggested that those responsible for generating waste should be responsible for removing it.

Initiatives of this kind should be promoted as part of a broader environmental management strategy within this precinct.

(h) Darel Vidler – Proposed Community Garden, Ocean Breeze Reserve

Mr Vidler enquired about the status of this proposal.

Mr Truman indicated he is aware of some interest in this project. He will be seeking to address it as part of the reporting to the Council (refer to item (d) above).

(i) Darel Vidler – Megan Crescent Improvements

Mr Vidler expressed his appreciation to Councillors for their support in the recent allocation of grant funds to enable these improvement works to proceed. Commencement is expected shortly.

He also enquired about Council policies concerning the placement of commercial advertising signage within the shire's sporting grounds.

Council considers signage of this nature on a case-by-case basis, having regard for location, scale and advertised content.

(j) Fran Byrne – Pathway Construction, Beachfront Parade, East Ballina

Ms Byrne enquired about the project and was advised that it is a matter which is currently under Council's consideration.

Provision is currently made in Council's Pedestrian and Mobility Plan (PAMP) for this infrastructure, and it is also being proposed in Council's recently exhibited draft Bike Plan.

Community representations concerning this matter are currently being received and considered by the Council.

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(k) **Lorraine Leuckel – Marine Rescue Tower**

Ms Leuckel acknowledged the progress being made with the construction of the new facility. She also enquired about the potential for mobile coffee vending facilities being provided for, adjacent to the new building.

Staff advised that authorised itinerant coffee vending operators may choose to service this area, subject to their vehicles not giving rise to pedestrian/cyclist safety concerns or traffic obstruction.

(l) **Lorraine Leuckel – Shelly Beach Café**

Ms Leuckel enquired about the status of the café development proposal.

Staff advised that a conditional consent is in place for the redevelopment and the tenant is currently adhering to his lease obligations.

Although the Council and the community are very keen to see the redevelopment commence, no timeframe is currently available for this to occur.

9. Next Meeting

Due to the scheduling of the Local Government election on Saturday 10 September 2016, the next meeting of the B Ward Committee has been deferred until Monday 21 November 2016 at 4.30 pm.

10. Meeting Close

Prior to the closure of the meeting, the Mayor, Councillors and members expressed mutual appreciation for the operation of the Committee and indicated that this forum continues to provide an excellent means of exchanging views and information between Ward Councillors and the community.

There being no further business, the meeting concluded at 6.00pm.

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 additional 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 groups have renewed their membership:

- Lennox Head Residents Association – confirming membership
- Office of Sport and Recreation – confirming membership
- Ballina Heights Residents Action Group – confirming membership

The following group has tendered their resignation:

- Sheila Aveling, Tintenbar School of Arts Inc - resignation

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:

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

A 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. Deputations

8. Outstanding Business

9. Business with Notice from Members

Ballina Heights Residences Action Group (BHRAG)

1. At its most recent meeting the BHRAG resolved to again press Council for a resolution to the problem of the lack of street lighting on the intersection of Deadman's Creek Road and Tamarind Drive. The Group is concerned that the lack of adequate lighting at the intersection poses a grave risk to safety.
2. In addition the Group wishes to advise Council that the extension of centre line marking at the roundabout at the corner of Deadman's Creek Road and The Ridgeway still needs to be completed.
3. The BHRAG also resolved as a matter of urgency to request Council to undertake a major campaign to ensure that telecommunication services are improved to complement Ballina's status as a Major Regional Growth Centre.

10. 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 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.

11. Business Without Notice

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

12. Next Meeting

Monday 20 March 2017 at 4.30 pm