

1. **Attendance and Apologies**

2. **Declarations of Interest**

3. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held 17 July 2017 were distributed.

RECOMMENDATION

That the Minutes of the "B" Ward Committee held 17 July 2017 be taken as read and confirmed.

4. **Deputations**

Laurence Keane, Lennox Head Lions Club, and Doug Stinson, Cancer Council – support for fundraising for shade sails for Lions Park in Rutherford Street, Lennox Head and the skatepark at Park Lane, Lennox Head.

5. **Outstanding Business**

(a) **Bitou Bush at Shelly Beach**

The Bitou Bush old growth infestation around the cafe and further along the Ballina Head embankment are known to Council staff.

The cafe including its wider leased land boundary has been subject to reduced weed control over the years as it was controlled by the cafe lease holders who did not want the chemical control or unsightly dead weeds to occur impacting on their patrons. Council staff were unable to control the weeds at the cafe lease location.

The cafe redevelopment (still pending) requires the new leaseholder to control and replace the Bitou Bush and rehabilitate some of the adjacent escarpment as a part of compensatory measures for the redevelopment's removal of native vegetation.

Council staff had negotiated with the new leaseholder to employ a suitable combined bush regenerator and Council would add additional funds to cover the rest of the adjacent escarpment not required by the leaseholder.

This would enable strategically targeting the whole escarpment in the one control measure.

Any part weed control was seen as a band aid solution and waste of resources as due to the steep area the adjacent weed would re invade quickly.

Additionally due to the steep escarpment topography, advanced technical control methodologies are required with a combination of abseiling, top road lane part closure and bottom shared path part closure in place as required for safety and practicality.

These additional measures along with their additional implementation costs have all been on hold awaiting the redevelopment of the cafe and implementation of their compensatory measures at their cost.

This has unfortunately been a much longer wait than expected and the redevelopment hold up is still continuing hence Council staff/contractors on hold too.

6. Special Rate Variation

During 2016/17 Council undertook a community engagement process in respect to a proposal to increase our total rate income above the normal rate peg limit. The three year program was based on the following increases:

	2017/18	2018/19	2019/20
Rate peg limit	1.5%	2.5%	2.5%
Asset renewal	1.9%	3.4%	3.4%
Healthy waterways	1.5%	0.0%	0.0%
Total Rate Increase	4.9%	5.9%	5.9%

As per these figures the additional increase was 3.4% per annum for the three years above the actual (2017/18) and forecast (2018/19 and 2019/20) rate peg limits.

The additional rate revenue was to be expended on:

- Asset Renewal – Council’s engineering assessments of our infrastructure identify that we are underfunding the renewal of our existing assets. Therefore unless we increase that investment our infrastructure will deteriorate overtime.
- Healthy Waterways – This is a program to take a more pro-active approach to improving the health of our key waterways such as the Richmond River, Lake Ainsworth and Shaws Bay.

Council applied to IPART (the NSW Independent Pricing and Regulatory Tribunal) for this three year increase, however IPART only provided approval for the 2017/18 increase, and for one year only.

IPART has asked Council to ensure that our key corporate documents such as the Delivery Program and Operational Plan (both on our website) reflect this proposal before they will provide a permanent increase.

This now means that Council has to undertake the same consultation process and again apply to IPART, although it will now be for a two year period.

However we also have to duplicate the 3.4% approved, on a temporary basis, for 2017/18, which means our application will now be as follows:

	2018/19	2019/20
Rate peg limit	2.5%	2.5%
Asset renewal	5.3%	3.4%
Healthy waterways	1.5%	0.0%
Total Rate Increase	9.3%	5.9%

The 9.3% includes the 3.4% approved for 2017/18, as that was a temporary approval only.

This means our income will only increase by 5.9% from 2017/18 however for the purposes of the application we have to ensure the 3.4% for 2017/18 is retained on a permanent basis.

For the two year period the proposed special rate seeks a cumulative increase of 15.7%, albeit that 3.4% has already been levied by Council.

Council will be advising the community of this proposal during October through the inclusion of information in our Community Connect magazine, letters to all ratepayers, public meetings and media releases.

The draft Delivery Program, Operational Plan and Special Rate Variation are now on public exhibition (closing date 30 October 2017) and members of the public are encouraged to inspect the documents and make submissions to Council during the exhibition period.

As part of the exhibition process Council will hold public meetings. The dates and venues for these meetings are as follows and members of the public are encouraged to attend.

7pm Monday 9 October 2017	Alstonville Leisure and Entertainment Centre
7pm Tuesday 10 October 2017	Lennox Head Community Centre (meeting rooms 1 and 2)
7pm Wednesday 11 October 2017	Ballina Shire Council Chambers
7pm Thursday 12 October 2017	Wardell Memorial Hall

7. Business with Notice from Members

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.

- **Tosha and Killen Falls Draft Management Plans, closing date 4 August 2017**

In June and July 2016, Council resolved to prepare management plans for the Council owned land in the vicinity of Tosha Falls and Killen Falls to assist with long term planning for each of these areas.

- **Draft Policies as per below**

Councillor Expenses and Facilities (Review), closing date 6 September 2017

Festival and Events (Community) Sponsorship Program (Review), closing date 6 September 2017

Water Metering Policy (Review), closing date 4 October 2017

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

- **Festival and Events (Commercial) Sponsorship Program (New Policy), closing date 6 September 2017**

At the November 2016 Ordinary meeting, Council resolved to allocate funding to a number of events as part of the Community Festival and Event Support Program for 2017/18.

The resolution also asked for a report on establishing a policy and recurrent budget for a Commercial Festival and Events Support Program, as the existing policy and program is based on Council only allocating funding to community based organisations. This policy is as a result of that resolution.

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 17/007 – Visions Estate Henderson Drive Lennox Head, closing date 8 September 2017**

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 2012 (Ballina LEP 2012) in respect to part Lot 7 DP 1216761 and part Lot 1 DP 1217906, Henderson Drive, Lennox Head and part of the adjacent Henderson Drive road reserve, as part of the approved subdivision development application DA 2016/166 relating to the 'Visions Estate'.

The planning proposal proposes to rezone part of the subject land from R3 Medium Density Residential to R2 Low Density Residential, with the exception of approved Lots 1, 7 and 15 which are to retain the existing R3 zoning. No changes are proposed to the existing minimum lot size of 800m² or the maximum permitted building height of 8.5 metres.

Council has been given delegation by the Department of Planning and Environment to undertake the processes for finalisation of this planning proposal (should it proceed to completion).

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 17/008 Rural Area Detached Dual Occupancy, closing date 15 September 2017**

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 2012 (Ballina LEP 2012) to permit detached dual occupancy development (in addition to attached dual occupancy development) upon land within the RU1 Primary Production and RU2 Rural Landscape zones.

Council has been given delegation by the Department of Planning and Environment to undertake the processes for finalisation of the planning proposal (should it proceed to completion).

- **Ocean Breeze Reserve Master Plan, closing date 2 October 2017**

Council is inviting feedback in relation to the draft Ocean Breeze Reserve Master Plan.

The master planning has considered previous community feedback as well as the outcomes of more recent master plan specific engagement as the basis for draft site planning options that are responsive to the community's vision for the reserve.

The draft master plan sets out three concept options for the future use of the reserve based on variations in the scale and range of facilities. Costs associated with the implementation of these facilities are not currently funded in Council's long term financial plan.

- **Draft Amendment - Ballina Shire Plan of Management for Community Land Ocean Breeze Reserve Lennox Head, closing date 2 October 2017**

In association with the public exhibition of site planning options (concepts) for the Ocean Breeze Reserve Master Plan, Council is also proposing an amendment to the Ballina Shire Plan of Management for Community Land.

It is proposed that the Plan of Management for Community Land be amended in relation to the Ocean Breeze Reserve to insert a special provision in Section 5 of the management plan recognising the Ocean Breeze Reserve Master Plan.

The inclusion of the special provision in the management plan will have the effect of recognising that a master plan for the reserve has been prepared (once adopted by Council). It will also recognise that the master plan is the intended basis for ongoing site planning and works within Council's formal management planning document for community land in the shire.

- **Ballina Shire Development Control Plan 2012 - Draft Amendment No.11 – General Amendments, closing date 29 September 2017**

Draft Amendment No.11 to the Ballina Shire Development Control Plan 2012 (BSDCP 2012) proposes changes to various controls including those relating to third storey/loft provisions associated with residential development, building design in the Lennox Head coastal hazard area, exterior materials permitted on industrial buildings, requirements for shade cover over play equipment in local parks and requirements for rural area dual occupancy development.

- **Ballina Cup 2018 and 2019** – feedback, **closing 13 October 2017** is being sought from the public on what holiday arrangements Council will apply to the Minister for Industrial Relations to be declared for the Ballina Cup in 2018 and 2019.

The Ballina Jockey Club has asked for Council support in applying to the Minister for Industrial Relations for a local event day for the 2018 and 2019 Ballina Cup Days. The suggested dates are Thursday 6 September 2018 and Thursday 5 September 2019.

Council is required to gauge the potential impact the application will have on businesses and communities in the Shire, prior to it making a decision on whether to apply for a local event day or public holiday. It is expected that Council will make a decision on whether to apply to the Minister, at its 26 October Ordinary meeting.

A copy of the guidelines for Local Public Holidays and Local Event Day Applications. is available on Council's website.

Local Public Holiday - Implications for Employers

The public holiday provisions contained in the National Employment Standards of the Fair Work Act 2009 apply to local public holidays declared under the Public Holidays Act 2010. This means that all employees irrespective of their former entitlements and whose place of work is within a local public holiday area will be entitled to be absent from work for the day or part day declared to be a public holiday.

In addition, employees who work on the day or part day may have an entitlement to penalty rates under a relevant award of enterprise agreement.

Local Event Day - Implications for Employers

A declared local event day does not automatically mean that employers in the particular locality are compelled to treat the day as a public holiday. Entitlements to paid leave or penalty rates on a local event day will only arise where agreed to at the workplace level, usually in the form of an enterprise agreement or by contract.

This goes some way to restoring the industrial arrangements that existed prior to changes in the Commonwealth workplace laws. Importantly this is not a local public holiday.

Council has for the past two years, applied for and had declared a Local Event Day for the Ballina Cup.

Any submissions made are publicly available documents, and as such they may be listed on Council's website and/or included in business paper reports to Councillors. If you request confidentiality please advise in your submission.

- **Delivery Program/Operational Plan and Proposed Special Rate Variation, closing date 30 October 2017 (refer separate item also)**

Council has prepared its Delivery Program for the four year period from 2017/18 to 2020/21. This information was adopted by Council in June 2017. We are however proposing to make an application to the Independent Pricing and Regulatory Tribunal (IPART) for a variation to our rate income, and are therefore re-exhibiting the Delivery Program and Operational Plan.

Included in these documents, and of particular note is the proposed special rate variation. This includes:

- a 4.9% increase in our total rate income for 2017/18. This is 3.4% above the standard rate peg limit of 1.5%, with the funding from the additional percentage to be expended on increased asset renewal works and actions to improve the health of our waterways. The 3.4% extra increase has been **approved** by the Independent Pricing and Regulatory Tribunal (IPART) temporarily for the 2017/18 financial year only.
- the Delivery Program also outlines a program above the rate peg limit increases proposed by Council being 9.3% for 2018/19 and 5.9% for 2019/20 (including an assumed rate peg of 2.5%). These proposed extra funds will be spent on increased asset renewal and our healthy waterways program. These increases are intended to be permanent increases to our rate income. Overall the proposal seeks a cumulative rate increase of 15.7%.

The draft documents are now on exhibition and members of the public are encouraged to inspect the documents and make submissions to Council during the exhibition period. As part of the exhibition process Council will hold public meetings. The dates and venues for these meetings are as follows and members of the public are encouraged to attend.

7pm Monday 9 October 2017	Alstonville Leisure and Entertainment Centre
7pm Tuesday 10 October 2017	Lennox Head Community Centre (meeting rooms 1 and 2)
7pm Wednesday 11 October 2017	Ballina Shire Council Chambers
7pm Thursday 12 October 2017	Wardell Memorial Hall

9. Business Without Notice

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

10. Next Meeting

Monday 20 November 2017 at 4.30 pm

Ballina Shire "B" Ward Committee Minutes 17 July 2017

1. **Attendance and Apologies**

Members

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

Shaun Eastment, Lennox Head Landcare
Alan Veacock, Ballina Heights Residences Action Group
Monica Wilcox, Lennox Head Residents Association
Jim Gilchrist, Preserving Lake Ainsworth Association
Simon Jones, Preserving Lake Ainsworth Association
Lou Wilson, Lennox Head Surf Life Saving Club
Fran Byrne, Coastcare
Lorraine Leuckel, Marine Rescue Ballina
Jason Dwyer, Lake Ainsworth Sport and Recreation Centre

Observers

Council Staff

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

Apologies

Cr Jeff Johnson
Darel Vidler, Lennox Head Combined Sports Association
Lyn Walker, Ballina Environment Society
Debbie Smith, Lennox Head Chamber of Commerce

The apologies were accepted.

The Chair extended a welcome to the Committee to Mr Jones.

2. **Declarations of Interest**

Nil

3. **Confirmation of Minutes**

RECOMMENDATION

That the Minutes of the "B" Ward Committee held 15 May 2017 be taken as read and confirmed. (Shaun Eastment/Monica Wilcox)

4. **Deputations**

Nil

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5. **Outstanding Business**

(a) Stormwater and drainage matters (from 20 March 2017 meeting)

The information contained in the agenda was noted.

(b) Signage Adjacent to Marine Rescue Tower (from 20 March 2017 meeting)

The information contained in the agenda was noted.

(c) Lyn Walker – Stormwater and Drainage Matters

The information contained in the agenda was noted.

(d) Bush Regeneration – Weed Growth – Coast Road

The information contained in the agenda was noted.

(e) Coastal Recreational Path/Bush Regeneration

The information contained in the agenda was noted. Ms Byrne informed the Committee that Coastcare intends to take no further action in relation to this matter.

(f) Proposed Olympic Training Facility

The information contained in the agenda was noted.

(g) Sand Quarry – Newrybar Swamp Road

The information contained in the agenda was noted. A question was asked about whether there would be a traffic management plan operating to regulate vehicle movements associated with the quarry's operation. It was advised that we will need to wait and see what the applicant proposes, if and when a development application for a quarry is lodged and assessed.

(h) Williams Reserve Lighting

The information contained in the agenda was noted.

(i) Megan Crescent - Reserve

The information contained in the agenda was noted.

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(j) Bora Ring – Gibbon Street Lennox Head

The information contained in the agenda was noted.

(k) North Angels Beach Estate Park – Sofffall

The information contained in the agenda was noted.

(l) Megan Crescent - Park

The information contained in the agenda was noted.

6. Business with Notice from Members

Nil

7. Council Documents on Exhibition

The list of Council documents which have recently been exhibited for community feedback was noted.

8. Business Without Notice

(a) Jim Gilchrist – Coast Road/Skennars Head Road Roundabout

Expressed congratulations to Council on recently completing the new roundabout.

(b) Jim Gilchrist – Lake Ainsworth

Asked if there is a traffic management plan in place for the southern road adjacent to the caravan park.

A traffic management plan is not currently in place, however it is something that may be considered, subject to approvals being issued for the proposed new works in this locality.

(c) Lou Wilson – Vegetation Management, Lennox Head

Prompted discussion about the suitability of Norfolk Island Pines, expressing a view that they are inappropriate, and that native species of trees should be preferred in public areas.

Mr Wilson noted that he will bring the matter back to a future meeting for further discussion.

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(d) Lou Wilson – Lighting in Public Areas

Advised that the area of Lennox Head in the vicinity of Rayner Lane, Rutherford Street and the adjacent foreshore reserve area is poorly illuminated and would benefit from enhanced lighting.

Mr Truman indicated that Council's current adopted lighting program does not have upgrading scheduled in this locality.

(At this point, Cr Cadwallader departed the meeting and Cr Williams assumed the Chair).

(e) Fran Byrne – Bush Regeneration, Coastal Reserve, East Ballina

Gave an update on Coastcare's current bush regeneration program in the vicinity of Shelly Beach.

John Truman advised that relevant consent conditions for the construction of the path remain in place. Councillors have requested staff investigate the option of a 4wd access at Black Head.

(f) Fran Byrne – Weed Management, Public Land

Asked why iconic public reserves like Mercer Park in East Ballina do not attract greater resources for weed management and rehabilitation.

Mr Truman outlined how Council's resources for this operational area are allocated. He also advised that the Council has recently considered a report in relation to our weed management program. A copy of this report is attached to these Minutes for the information of members.

(g) Fran Byrne - Bitou Bush, Shelly Beach, East Ballina

Asked if Council is intending to remove the infestation of Bitou Bush in the Coastal Reserve adjacent to the site of the former Shelly Beach Café.

Mr Truman indicated that he will have the area inspected and take action, if required.

(h) Shaun Eastment - Don Apps Memorial

Acknowledged the effort Council is currently making to establish a memorial to acknowledge the extensive community service of the late Mr Don Apps.

(i) Monica Wilcox – Lennox Head Town Centre

Noted that considerable interest is being generated in Lennox Head concerning this project.

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(j) Monica Wilcox – Ballina Shire Pedestrian and Mobility Plan (PAMP)

Briefly discussed elements of Council's PAMP insofar as it relates to the Montwood Drive and Greenfield Road localities.

(k) Monica Wilcox – Community-Based Tree Plantings

Enquired about procedures/opportunities associated with community-based tree planting programs.

Mr Truman suggested that the matter be discussed with Council's Natural Resource Officer, James Brideson, who will be pleased to assist.

(l) Monica Wilcox – Williams Reserve

Enquired about maintenance within the western area of Williams Reserve.

Mr Truman advised that maintenance within the reserve will continue within current available resources and that Council staff are monitoring grant opportunities to fund a review of the reserve's vegetation plan of management.

(m) Monica Wilcox – Coastal Recreation Path, Flat Rock

Noted the incursions into the vegetated dunal areas east of the Flat Rock Tent Park.

Mr Truman indicated that Council staff are monitoring activities in that area.

(n) Monica Wilcox – Bollards adjacent to the Coast Road at Skennars Head

Expressed her disappointment at the recent placement of concrete bollards along the edge of the Coastal Reserve at Skennars Head, these being unsightly and obscuring views of passing motorists.

(o) Alan Veacock – Tamarind Drive/Deadmans Creek Road Illumination

Noted that Ballina Heights Estate residents remain concerned that illumination of the Tamarind Drive/Deadmans Creek Road intersection is inadequate.

(p) Alan Veacock – Tamarind Drive Flooding Issues

Requested an update concerning flooding issues on Tamarind Drive.

Mr Truman advised that the RMS has agreed to fund raising the level of Tamarind Drive, with Council to be the contractor for these works. Timing, and the design approach for the work is currently under consideration.

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This item also included discussion regarding strategies for improved access between Ballina Heights Estate and the Pacific Highway Motorway during flooding events, including use of the south-facing off ramp at Cumbalum.

(q) Alan Veacock – Ballina Heights Estate Recreation Facilities

Noted that at times of peak usage of the Ballina Heights Estate sporting grounds, the associated car parking area is inadequate. Also, that a half-court basketball facility at the sporting grounds has been proposed as being desirable.

(r) Alan Veacock – Home Building Works

Advised that his Group has been contacted by a number of residents of the Ballina Heights Estate advising that wet areas within their respective dwellings are experiencing leakages after Council final inspections and the granting of occupation certificates.

It was suggested to Mr Veacock that the residents making these representations should take the matter up directly with Council or the other relevant certifying authority.

9. Next Meeting

The next meeting of the Committee is scheduled for Monday 18 September 2017 at 4.30 pm.

10. Meeting closure

There being no further business, the meeting concluded at 5.50 pm.

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11.3 Weed Control - Funding and Service Levels

11.3 Weed Control - Funding and Service Levels

Delivery Program Open Spaces & Reserves

Objective To respond to a Council resolution asking for information on Council's weed control activities.

Background

At the July 2016 Ordinary meeting Council resolved as follows:

Resolution 280716/44

- 1. That Council notes the contents of this report regarding Weed Control Funding.*
- 2. That following the Local Government Elections, as part of the induction program, or any other activities reviewing Council's existing levels of service, the Council receive a briefing on the current levels of service for weed control and options to improve that level of service.*
- 3. That Council receive a report in respect to Council's contribution to Rous County Council for weed control.*

This resolution arose from a report presented to that meeting in respect to a request to possibly increase funding towards weed control. A copy of that report is attached.

The following report addresses resolution 280716/44.

Key Issues

- Current levels of service for weed management
- Funding and resource allocation

Information

The July 2016 report details the current funds allocated to weed management and the funds needed to deliver the level of service that is preferred from a technical perspective. As per that report, ideally the funds allocated would be increased by around \$800,000 to \$1m per annum.

An important component of our current weed management program is the contribution Council makes to Rous County Council (RCC), which has now absorbed the Far North Coast Weeds County Council.

RCC is the "local control authority" responsible for administering the *Noxious Weeds Act 1993*, (the Act) and hence for the eradication of noxious weeds in the Ballina Shire and surrounding local government areas.

RCC provides this service for Ballina, Byron, Tweed, Richmond Valley, Kyogle and Lismore Councils.

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11.3 Weed Control - Funding and Service Levels

"Noxious" weeds refer to those weeds declared under the Act, and not all environmental weeds are noxious. Within Ballina Shire, environmental weeds are numerous and widespread yet only some are considered noxious and of interest to RCC (e.g. bitou bush, camphor laurel).

RCC has four main goals:

- Prevent the establishment of new weed species in the region
- Eliminate or prevent the spread of new weed species in the region
- Reduce the impacts of widespread invasive weed species
- Ensure community, industry and government stakeholders have the ability and long-term commitment to manage invasive weed species.

RCC's approach to weed management is to:

- Identify and manage high-risk noxious weed species and the pathways they use to spread into and within the region
- Formulate new weed detection systems to improve RCC's capacity to find new weeds early
- Ensure that resources and procedures are in place to undertake rapid strategic control measures against new weed incursions
- Continually analyse RCC's weed management programs to ensure resources are directed to where benefits will be the greatest
- Increase community commitment and involvement in proactive weed management approaches.

This approach has strong links with the Australian Weeds Strategy, the NSW Biodiversity Strategy, NSW Invasive Species Strategy and the NSW Weed Action Program.

The RCC implements its approach through a range of activities, as listed below, which are consistent with its role as the local control authority under the *Noxious Weeds Act 1993*:

Regulatory

- Inspect land within the county to ensure, so far as practicable, that owners and occupiers of land (other than public authorities or other local control authorities) carry out their legislative noxious weed control obligations.
- Undertake compliance action to ensure landowners and managers meet their legislative noxious weed control obligations.
- Issue section 64 certificates under the *Noxious Weeds Act 1993*, which provide information for prospective land purchasers about any current weed control notices, expenses and charges on land.

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11.3 Weed Control - Funding and Service Levels

Weed management on public lands

- Develop weed management plans, which encompasses 12,438 km of roadsides across the county.
- Map the density and distribution of declared noxious weeds on roadsides.
- Carry out control works against declared noxious weeds on the public road network throughout the county area.

Strategic control of high priority, high risk weed species

- Map all declared noxious weeds on private and public lands.

Note: The Minister for Agriculture is responsible for declaring noxious weeds. RCC's role is to recommend declarations, where appropriate, to the Minister through the Regional Weeds Committee and the State Weeds Committee. Declaration of a weed can impose considerable costs on public and private landholders and the local control authority. Declaration may also restrict personal freedom by forcing landholders to carry out activities that they would not otherwise carry out. There must be a clear public benefit from the proposed declaration.

There are five classes of noxious weeds identified in the Act (see table below).

Control Class	Noxious Weed Type	Example Requirements	Control
Class 1	Plants that pose a potentially serious threat to primary production or the environment and are not present in the State or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant. The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.	
Class 2	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies and are not present in the region or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant. The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.	
Class 3	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies, are not widely distributed in the area and are likely to spread in the area or to another area.	The plant must be fully and continuously suppressed and destroyed.	
Class 4	Plants that pose a potentially serious threat to primary production, the environment or human health, are widely distributed in an area to which the order applies and are likely to spread in the area or to another area.	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction.	

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11.3 Weed Control - Funding and Service Levels

Control Class	Noxious Weed Type	Example Requirements	Control
Class 5	Plants that are likely, by their sale or the sale of their seeds or movement within the State or an area of the State, to spread in the State or outside the State.	There are no requirements to control existing plants of class 5 weeds. However, the weeds are "notifiable" and a range of restrictions on their sale and movement exists.	

- Implement inspections on private and State lands for declared weed species.
- Develop and implement collaborative control activities for high priority declared weed species in partnership with land owners and managers.
- Identify species exhibiting weedy potential and implement strategies for their timely control and future management.
- Review and prioritise weed-management programs to ensure resources are directed to where benefits will be the greatest.

Education, extension and community engagement

- Develop programs that aim to increase the community's acceptance of and willingness to be involved in effective weed-management programs.
- Provide advice on best practice control methods, weed seed spread prevention and other relevant management topics.
- Provide technical support and literature to land owners, community and industry groups.
- Attend shows and field days across the region to enhance weed management awareness.

As of 1 July 2016 the former Far North Coast Weeds County Council and Richmond River County Council were dissolved with all functions and operations transferring to RCC; including Far North Coast County Council's role in administering the *Noxious Weeds Act 1993* within the region.

Reference to the "region" means the local government area of Rous County Council and the local government areas of Kyogle and Tweed Shire.

In the case of Kyogle and Tweed Shires, the functions and operations of the former Far North Coast County Council were transferred back to those respective councils and are now delivered by Rous County Council under a service level agreement.

Prior to this merger, Far North Coast County Council's *Draft 2016/2017 Operational Plan* reported operating revenues of \$1,249,800 and \$1,324,400 for the periods 2015/16 and 2016/17 respectively.

Financial contributions by councils for the same periods are shown in the following table. It is evident from the table that local government contributions are a substantive revenue source for the RCC.

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11.3 Weed Control - Funding and Service Levels

Local Government Area	2015/16	2016/17	Variance
Ballina Shire Council	103,400	105,300	1,900
Byron Shire Council	103,400	105,300	1,900
Kyogle Shire Council	113,700	115,700	2,000
Lismore City Council	136,100	138,500	2,400
Richmond Valley Council	112,600	114,600	2,000
Tweed Shire Council	155,800	158,600	2,800
TOTAL	725,000	738,000	13,000
Increase			1.8%

The merger of RCC, Far North Coast County Council and Richmond River Council is reported to deliver immediate cash savings in the vicinity of \$130,000. Savings are largely expected in the area of administration and governance and in the reduction of triplication of costly reporting requirements.

Contributions from constituent Councils are based on the following formula, which was adopted in 1994 and confirmed during reviews in 2003 and 2004.

The formula is based on 50% Part A and 50% Part B:

- Part A: area % + length of roads % + number of rural holdings % + population %.
- Part B: number of property inspections % + weed control costs %.

Annual contributions are typically increased by the rate pegging allowance, which for 2016/17 is 1.8%.

Also, the former Far North Coast County Council resolved in 2013 that a minimum contribution payable by any constituent Council be set equivalent to 14.25%.

RCC's resources are primarily focused on the highest priority "noxious" weeds and not all noxious and environmental weeds are able to be targetted.

Only a small proportion of noxious weed control undertaken by RCC actually takes place within Ballina Shire; with much of the work occurring in other council areas. This is due to the manner in which noxious weeds are prioritized across the Far North Coast.

For example, despite Council considering bitou bush to be a problematic noxious weed in Ballina Shire, its classification as a class 4 noxious weed does not warrant a high enough priority to trigger direct intervention by RCC.

While this situation might appear an inequitable and poor return on Ballina Shire Council's investment, it needs to be recognized that early intervention is the most efficient and cost-effective means of preventing the spread of noxious weeds within the region, and ultimately within Ballina Shire.

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11.3 Weed Control - Funding and Service Levels

Regarding Council's own weed control operations, the report to Council on 28 July 2016 identified a significant shortfall in the funding needed to facilitate a sustainable programme of weed control and bushland reserve management within the Shire.

Overall, an estimated \$1,309,500 per annum would be needed for Council to effectively manage all of its bushland reserves and weed control programs to the preferred standard; which includes both "noxious" and "environmental" weeds.

When compared to Council's current level of expenditure on weed control and bushland reserve management (\$219,000 per annum which includes grants), the additional \$105,300 per annum contribution to RCC is arguably disproportionately large, representing 32% of the combined total expenditure.

However, when considered in the context of an aspirational fully-funded sustainable programme of weed control and bushland reserve management (\$1,309,500 per annum), the contribution to RCC is then only 7.4% of the combined total expenditure.

The newly assented *Biosecurity Act 2015* is anticipated to commence in 2017 once supporting regulations, policies and procedures are in place. This Act will cause the repeal of the *Noxious Weeds Act 1993* along with numerous other Acts.

Local control authorities will continue to have functions in relation to weeds, albeit within a broader biosecurity framework. Biosecurity is the protection of our economy, environment and community from the negative impacts of pests, diseases, weeds and contaminants.

Sustainability Considerations

- **Environment**
Ballina Shire is rich in biodiversity, containing many high conservation value and high profile vegetation communities. Many exist along the coastline and adjacent to tourist drives.
- **Social**
Previous Council research has confirmed that the community aspires to a healthy natural environment and for Council to maintain, protect and manage natural habitat areas.
- **Economic**
Degraded low-value (i.e. highly weed infested) bushland is disproportionately more expensive to manage than well maintained high-value (i.e. low-weed infested) bushland.

Legal / Resource / Financial Implications

Council has a legal requirement to remove and control various listed noxious weeds and also remove threats (weeds) to endangered ecological communities. It achieves this in part through its contribution to RCC and in part from its own weed control operations.

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11.3 Weed Control - Funding and Service Levels

RCC is the local control authority responsible for administering the *Noxious Weeds Act 1993* within the Richmond River catchment. Council provides funding annually (\$105,300 this financial year) to RCC for noxious weed control within the region. The revenue source from local governments to RCC is substantial.

The Open Spaces and Reserves section is currently allocated a budget of \$21,000 per annum for weed control and bushland reserves management.

An additional \$20,000 is allocated from the roads budget specifically for roadside weed control.

These amounts are insufficient to enable vegetation management plans and other management actions to be implemented effectively.

With grants and volunteer contributions taken into account, an additional budget of \$810,000 would still be required in order to fully fund a Shire-wide sustainable program of weed control and bushland reserve management (as per July 2016 report).

Consultation

Relevant sections of Council and RCC have been consulted with regards to this report.

Options

The options section of the July 2016 meeting is reproduced below.

The size of the funding gap for this program is significant and having regard to all of the funding demands before Council, obviously addressing this issue is a major challenge and one the Council may wish to turn its mind towards in future strategic planning activities.

It is also noted that our neighbouring councils have used special rate variations to increase funding levels for this area of management and this might be an option to consider at an appropriate time. However, Council currently lacks a strategic-level document, notably a biodiversity management strategy, necessary to support the implementation of an environmental/biodiversity levy, and to underpin the case for a special rate variation. Council does have a variety of environmental management plans that are used to source grant funds, however these are not considered sufficient for the above purpose.

In looking at a recommendation to this report the appropriate action is to raise this matter with the newly elected Council to determine whether they wish to pursue other fund raising measures, including the possibility of rate increases, to confirm the preferred level of service for Council.

Realistically this is the only option considering Council's comparatively low rate base to our neighbours and service levels are a matter that should be determined by the elected Council on behalf of the community.

The resolution in response to this report was;

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11.3 Weed Control - Funding and Service Levels

That following the Local Government Elections, as part of the induction program, or any other activities reviewing Council's existing levels of service, the Council receive a briefing on the current levels of service for weed control and options to improve that level of service.

This report identifies the functions and operations of RCC in its role as the local control authority for noxious weed eradication within the Northern Rivers.

The financial contributions to RCC from the Ballina Shire and neighbouring councils are substantial and crucial to RCC fulfilling its statutory role.

In determining the appropriateness of this level of funding, two comparisons are warranted:

- Comparison with Council's current weed control budget. In this context the contribution to RCC might appear an excessive commitment.
- Comparison with an aspirational fully-funded sustainable programme of weed control and bushland reserve management. When RCC's role is considered in the context of such a substantive programme, the contribution to RCC might then be deemed a far more appropriate level of commitment.

Council needs to be mindful that a number of services and program areas within Council face resourcing challenges and therefore further discussions in respect of weed management need to be undertaken within the holistic context of the Integrated Planning and Reporting processes.

Ultimately Councillors need to determine the level of service considered reasonable to the community and community consultation programs can help to determine that service.

This report is useful in providing information on our current service levels and can inform the preparation of the 2017/18 Operational Plan and 2017/18 to 2020/21 Delivery Program.

The recommendation is for noting purposes only and if Councillors wish to see any further actions taken in respect to this matter the recommendation should be amended to reflect those actions.

RECOMMENDATION

That Council notes the contents of this report regarding the weed control funding contribution to Rous County Council, along with existing service and funding levels.

Attachment(s)

1. July 2016 Ordinary Meeting - Weed Control Funding

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Delivery Program Open Spaces and Reserves

Objective To respond to a Council resolution in respect to increasing the funding for weed control.

Background

Council resolved at its Ordinary Meeting on the 28 January 2016 that a report be presented to Council as part of the 2016/17 budget deliberations on the options to increase the overall rate of bitou bush and other high priority weed control for key scenic areas.

In response, information was included in the reporting to the Finance Committee and the Committee resolved at its meeting on 12 April 2016 to receive a report on increasing the funding for weed control over time. The following information responds to this request.

Key Issues

- Weed management
- Level of funding

Information

The following information analyses the current funding levels available for weed control activities and the demands for this service. The funding shortfall means Council must prioritize activities and target funds. It is also noted Council relies heavily on leveraging additional funds through grants and on the hard work of volunteers.

Weed Control and Bushland Management Areas

Council currently manages 582 hectares of bushland reserves that includes:

- Ballina Coastal Reserve: Shaws Bay (6 hectares), Shaws Bay escarpment (12 hectares), Lighthouse Beach (15 hectares), Shelly Beach (15 hectares), Western Shelly bushland (11 hectares), Angels Beach (29 hectares), Sharpes Beach (4 hectares), Boulders Beach (25.2 hectares), Seven Mile Beach (83 hectares), Lennox headland (39 hectares), Boulders headland (4 hectares), Skennars headland (7 hectares) and Black Head (9 hectares) and Ballina Headland (3 hectares).
- Flat Rock (41 hectares)
- Lake Ainsworth (9.9 hectares)
- Rainforest Way (2.5 hectares)
- Castle Drive Reserve (5.5 hectares)
- Lennox Palms Estate (3 hectares)
- Hutley Drive Rainforest Reserve (2 hectares)

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- Williams Reserve (1.4 hectares)
- Amber Drive (0.7 hectares)
- Northumberland Drive Reserve (4 hectares)
- Mercer Park (0.2 hectares)
- Pine Avenue/Central Avenue Reserves (1.5 hectares)
- North Creek Ballina (1 hectares)
- Chickiba Wetlands (100 hectares)
- Angels Beach Drive Reserve (6.7 hectares)
- North Lakes Ballina (5.6 hectares)
- Bicentennial Park (23.5 hectares)
- Patches Beach (1.5 hectares)
- Big Scrub remnants: Wollongbar Reserve (7 hectares), Duck Creek (5.2 hectares), Lumley Park (1.6 hectares), Dalwood Scrub (1.1 hectares), Maguires Creek (1.2 hectares), Killen Falls (1.4 hectares), Western Chilcotts Creek (6.7 hectares), Marom Creek Weir (17 hectares), Willowbank (2 hectares).
- Houghlahans Creek Reserve (8.9 hectares)
- Tintenbar Hall (0.3 hectares)
- Teven Memorial Park (4 hectares)
- Rossmore Park (4 hectares)
- Ross Lane Reserve (2.5 hectares)
- Little Fisheries Creek (0.6 hectares)
- Tara Downs (8.8 hectares).

Recent and upcoming subdivisions will create additional bushland reserves:

- Ballina Heights (19.5 hectares)
- Henderson Farm (14 hectares)
- Coastal Grove (4.22 hectares)
- Tallow Wood Place Reserve (0.8 hectare)
- North Angels (1.5 hectares).

Weed control is also incorporated into roadside maintenance programs, such as:

- Coast Road Lennox landslip rehabilitation
- Pine Avenue embankment rehabilitation and compensatory works
- Roadside Vegetation Management Plan implementation

Current Management Situation

Weed control is only one component of an integrated approach to bushland reserve management and roadside vegetation management, which involves weed control, bush regeneration of native vegetation, supplementary plantings, erosion control, and maintenance of tracks, viewing platforms, fencing and signs.

Bushland reserve management is typically estimated to cost \$2,250 per hectare.

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This calculation is based on existing bush regeneration and maintenance programs, weed control programs and average contractor rates. It assumes that a bush regeneration team of two contractors takes three days to perform weed control and bush regeneration per hectare per year.

It assumes high quality (low weed density) vegetation is being maintained.

However, sites that are heavily weed infested can cost considerably more to restore, as high as \$10,000 per hectare.

Council engages contractors to undertake bush regeneration because it does not have qualified bush regenerators on its staff. A five-year program is seen as the minimum timeframe for achieving sustainable results.

Council also relies heavily on volunteer groups. Fifteen volunteer landcare, duncare and coastcare groups operate on Council managed land and provide an estimated 12,000 volunteer hours annually towards weed control/bushland restoration. This is valued conservatively at \$300,000 per annum (based on a \$25/hour labour rate).

Council supports these volunteer groups by providing chemical and first aid training, tree planting supplies such as trees and mulch, and chemicals for weed control.

This is a small investment that provides substantial returns socially, environmentally and economically.

Weed control has proved particularly problematic at some scenic areas such as Lennox Headland, Boulders Headland, Ballina Headland, Black Head and Skennars Head, where cliff edges and other constraints create access and safety issues.

The use of abseils has proved successful at cliff sites but is prohibitively expensive. A recent quote for a five-year weed control program using abseiling bush regenerators at Lennox Headland, Boulders Headland, Ballina Headland, Black Head and The Serpentine amounted to \$593,000.

Other options include helicopter boom spraying and drone aerial spraying, however, past experience with helicopters has proved ineffective, whereas drone spraying is still in its infancy although may become an option in future.

The current financial model is insufficient to support a shire-wide sustainable program of weed control and bushland reserve management.

Such a program would seek to establish a shire-wide network of high-quality (i.e. low weed infested) bushland reserves which then require relatively minimal ongoing maintenance.

The lack of funding necessitates that works must be prioritized and targeted, often without the financial support to maintain them over the longer term.

This lack of funding has also resulted in increased community concerns and complaints regarding the poor and/or deteriorating condition of some bushland reserves.

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Budget Constraints

Based on these estimates, an overall sum of \$1,309,500 per annum would be needed to effectively manage all of Council's bushland reserves and weed control programs to preferred standards, albeit that not all reserves would need the same level of service.

The current budget allocates only \$11,000 for weed control and \$10,000 annually for bushland reserve management, although as noted below there are further expenditures.

Grants contribute significantly towards bushland reserve management, \$178,000 being the amount available during the 2015/16 financial year.

If you include the \$300,000 annual saving from volunteer groups, the budget shortfall is \$810,500.

Aside from this bushland reserves budget, an additional \$20,000 is currently provided from the roads budget specifically for roadside weed control. The Council also employs one staff member (our Natural Resources Officer) and the costs of this employment are not shown in the figures above.

It is important to note that this position is responsible for a wide range of activities and weed control and bushland management is only a portion of the activities undertaken by the position.

The above budget estimate does take account of Council's \$100,000 per annum contribution towards weed control projects undertaken by Far North Coast Weeds.

Currently, very little of this sum is spent on weed control on public land within Ballina Shire due to the manner in which noxious weeds are prioritized across the far north coast.

For example, despite Council considering Bitou Bush to be a problematic noxious weed in Ballina Shire, its classification as a class 4 weed by Far North Coast Weeds does not warrant a high enough priority to trigger their intervention.

The budget shortfall of \$810,500 is significant and highlights the inadequacy of the current funding model in delivering a sustainable program of weed control and bushland management across the Shire.

The current budget, together with grants and volunteer contributions represents only 38% of the amount required. Consequently, works must be prioritized and targeted.

With further development placing still more bushland and roadside vegetation under Council management, the situation is likely to deteriorate further in the absence of additional funding.

It is difficult to forward plan bush reserve maintenance and weed control programs with certainty when relying on opportunistic grant funding and/or volunteer programs. However, their contribution towards offsetting the budget is significant and should not be discounted.

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Further effort and funding might leverage still more grants, although additional opportunities are limited and may not yield significant additional returns.

A comparison between Ballina Shire Council, Lismore City Council and Byron Shire Council has been provided in the following table. This snapshot highlights the poor resourcing of Ballina Shire Council when compared to neighbouring Councils.

Ballina Shire	Lismore	Byron Shire
Reserves Under Management		
582 hectares	116 hectares (42 hectares under management)	400 hectares
Main Revenue Sources		
Council: \$11,000 – weed control \$10,000 – bushland reserve management \$20,000 – roadside weed control, drawn from roads budget Grants: \$178,000 – bushland reserve management	Council: \$500,000 per annum – being a 1.8 % special rate variation (LCC, 2016) to fund Council's biodiversity management strategy Grants: \$80,000 – bushland reserves management	Council: \$490,100 per annum (BSC, 2014) – being a 2.0 % special rate variation (2008) for an environmental levy to fund roadside vegetation management, biodiversity management, and related staff positions and activities Grants: \$3.5M – Koala habitat management (shared with Tweed Shire Council) \$65k – Graminoid clay health restoration \$96k – Land for wildlife (coastal biodiversity hotspot) \$50k – Tweed-Byron Native Species Planting Guide (shared with Tweed Shire Council)
Programs (not exhaustive)		
National tree day World environment day Landcare support Bushfire hazard reduction Indian Myna control Chickiba Lakes bird roosting Coast road Lennox Head landslip rehabilitation Pine Avenue embankment rehabilitation/compensation Roadside weed control Bitou Bush management	Biodiversity management strategy Bushlands reserve management	National tree day World environment day Landcare support Indian Myna control Feral animal trapping Koala habitat management Roadside vegetation management Graminoid clay health restoration Bitou Bush management Land for wildlife (coastal)

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Ballina Shire	Lismore	Byron Shire
Ballina Urban Garden Guide		biodiversity hotspot Tweed Byron Native Species Planting Guide Flying fox monitoring Integrated vegetation management strategy
Staffing		
1 natural resource officer full-time	2 staff full-time	1 team leader full-time 1 ecologist full-time 3 bush regenerators part-time 1 project officer part-time (koala grant funded)
Resources		
No vehicle	1 leaseback car 1 other car	1 leaseback vehicle 1 dual cab ute

Strategic Considerations

The following strategic considerations are pertinent to this report:

- The *Ballina Major Regional Centre Strategy 2015-2035* has a number of strategic actions relating to its environmental objectives:
 - Improve the management framework for the protection and enhancement of urban bushland.
 - Map key ecosystem attributes and services through the preparation of a Biodiversity Strategy.
- The *Ballina Shire Growth Management Strategy 2012* identifies the need for a shire-wide biodiversity management strategy, including vegetation mapping.

Sustainability Considerations

- **Environment**
Ballina Shire is rich in biodiversity, containing many high conservation value and high profile vegetation communities. Many exist along the coastline and adjacent to tourist drives.
- **Social**
The community aspires to a healthy natural environment, to maintain, protect & manage natural habitat areas (*People, Place, Prosperity: A Framework for a more sustainable Ballina Shire 2025*)
- **Economic**

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11.3 Weed Control Funding

Degraded low-value (i.e. highly weed infested) bushland is disproportionately more expensive to manage than well maintained high-value (i.e. low-weed infested) bushland.

Legal / Resource / Financial Implications

Council has a legal requirement to remove and control various listed noxious weeds and also remove threats (weeds) to endangered ecological communities.

The Open Spaces and Reserves section is currently allocated a budget of \$21,000 per annum for weed control and bushland reserves management. An additional \$20,000 is allocated from the roads budget specifically for roadside weed control. These amounts are insufficient to enable vegetation management plans and other management actions to be implemented effectively.

A revised budget of \$810,000 would be required to implement a Shire-wide sustainable program of weed control and bushland reserve management.

Consultation

Relevant sections of Council have been consulted with regards to this report. Neighbouring Lismore City Council and Byron Shire Council were approached in order that comparisons could be made between respective budgets and resources.

Options

The size of the funding gap for this program is significant and having regard to all of the funding demands before Council, obviously addressing this issue is a major challenge and one the Council may wish to turn its mind towards in future strategic planning activities.

It is also noted that our neighbouring councils have used special rate variations to increase funding levels for this area of management and this might be an option to consider at an appropriate time. However, Council currently lacks a strategic-level document, notably a biodiversity management strategy, necessary to support the implementation of an environmental/biodiversity levy, and to underpin the case for a special rate variation.

Council does have a variety of environmental management plans that are used to source grant funds, however these are not considered sufficient for the above purpose.

In looking at a recommendation to this report the appropriate action is to raise this matter with the newly elected Council to determine whether they wish to pursue other fund raising measures, including the possibility of rate increases, to confirm the preferred level of service for Council.

Realistically this is the only option considering Council's comparatively low rate base to our neighbours and service levels are a matter that should be determined by the elected Council on behalf of the community.

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11.3 Weed Control Funding

RECOMMENDATIONS

1. That Council notes the contents of this report regarding Weed Control Funding.
2. That following the Local Government Elections, as part of the induction program, or any other activities reviewing Council's existing levels of service, the Council receive a briefing on the current levels of service for weed control and options to improve that level of service.

Attachment(s)

Nil