



Our Ref: DOC17/398386
Your Ref: Killen Falls Draft Plan of Management

General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Attention: Ms Jessica Saad

Dear Mr Hickey

Re: Agency Comments on the Draft Killen Falls Plan of Management

Thank you for your letter dated 30 June 2017 about the public exhibition of the Draft Killen Falls Plan of Management seeking agency comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide input.

The OEH would like to commend Ballina Shire Council on drafting this Plan for Killen Falls. We recognise that the Plan represents a positive step in the long-term management of this significant natural resource. We also support the recognition of the values that Killen Falls provides, along with the opportunities it presents in connecting people with nature.

We provide the following comments on review of the *Draft Killen Falls Plan of Management Part A & Part B, prepared by MikeSvikis Planning, dated 8 June 2017 (Plan)*, and with reference to our preliminary advice dated 31 January 2017 (OEH Jan 17).

We advise that the Plan's content and actions appear to be well considered and realistic in addressing the key management issues associated with public access at Killen Falls. Overall, we support the proposed actions, such as fencing, signage, dog restrictions and construction of formalised pathways, to control access and educate users. We also note that the overall intent of the Plan is to protect the natural function of the falls and the ecological values it sustains.

In response, we have a few suggested changes and additions to the content of the Plan, which may assist in aligning the Plans objectives, and reporting framework. To this end, the OEH, recommends:

1. Reviewing Section 4 Values of the Management Area, to change the section headings of the Plan so they better align with the values listed as part of the objectives. This will provide for consistency in the monitoring, and link reporting. We would suggest setting out s4 to contain section headings such as Recreation (to include s4.1 & s4.2), Landform (s4.3), Biodiversity (s4.4), Heritage (s4.5), Aboriginal heritage (s4.6), and creating a new section for Education and Scientific.

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2. Reviewing s4.4 Vegetation and Habitat, to:
 - a. include an updated assessment of the biodiversity values (species, populations, ecological communities, and their habitat) present at Killen falls. The Plan currently references assessments and assumptions for the biodiversity values present at the falls in 2004. We advise that more recent and relevant data should be used to inform, and support the Plan. We also note that these values are essential if monitoring and performance criteria are to align with the Plan's objectives for biodiversity (s1.1 point 3) and management of 'Community Land - Bushland' (s1.2 points a, b, d, e, f and g).
 - b. recognise the current achievements of the rainforest restoration program. We advise that more detail should be included in s4.4 on the ecological community present and its recovery to date. We note that the "Big Scrub" as described in the Plan is often recognised as "Lowland Rainforest" which is an endangered ecological community listed under the *Threatened Species Conservation Act 1995* (and the forthcoming *Biodiversity Conservation Act 2016*) and the *Environmental Protection and Biodiversity Conservation Act 1999*.
 - c. address recovery plans, or recovery actions, associated with threatened flora and fauna where appropriate, and summarise the threatening processes that will be addressed by the actions listed in the Plan (OEH Jan 17 2(d)). We advise, that these actions would also align with the Plan's objectives for biodiversity (s1.1 point 3), education and scientific (s1.1 point 4) and management of 'Community Land - Bushland' (s1.2 points a, b, d, e, f and g), and could be used as part of the Plan's monitoring and reporting framework.
 - d. reference the aquatic ecological values of Killen Falls in consultation with Department of Primary Industries – Fisheries, and potential threatened aquatic species associated with Emigrant Creek under the *Fisheries Management Act 1994*.
3. Including in s4.6 Aboriginal Heritage, as advised in OEH Jan 17 (1a), Aboriginal cultural values in consultation with the Jali Local Aboriginal Land Council and local aboriginal knowledge holders. The OEH requests that the local Aboriginal community be given the time necessary to provide input to the Plan and inform the management of Killen Falls as appropriate.
4. Including in s6.1 Summary of Strategies and Actions, suggested additional actions to:
 - a. revise the current 'Killen Falls Vegetation Restoration Management Plan by Bower Bush Works 2004'. The revision of the restoration plan will allow for an updated assessment of biodiversity values and for the alignment of performance criteria, monitoring and reporting to support the objectives of the Plan, and the proposed works.
 - b. rezone the Killen Falls, and riparian buffer, to E2 Environmental Conservation under the Ballina Local Environment Plan 2012, as the opportunity arises, in recognition of its values.
5. Including in s6.2 Monitoring, specific information on what aspects of the Plan will be monitored, to measure performance and delivery. We advise that both key biodiversity, and Aboriginal cultural heritage performance measures should be included.

If you have any further questions about this issue, Ms Rachel Binskin, Regional Operations Officer, Regional Operations, OEH, can be contacted on 6659 8247 or at rachel.binskin@environment.nsw.gov.au.

Yours sincerely



7 August 2017

DIMITRI YOUNG
Senior Team Leader Planning, North East
Regional Operations

Contact officer: RACHEL BINSKIN
6659 8247

Jessica Saad

From: David Bester <davidbester2479@outlook.com>
Sent: Thursday, 22 June 2017 2:27 PM
To: Ballina Shire Council
Subject: Killen Falls Master Plan Feedback

Hi team at Ballina Council,

My name is David Bester and I reside on 34 Killen Falls Drive. Just wanted to say that I've reviewed the councils draft plan for Killen Falls and I think It's a good step in the right direction. I hope these changes can be implemented as soon as possible.

Kind Regards

David Bester

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Jessica Saad

From: Peter Lane <p.lane@jacksonlane.com.au>
Sent: Monday, 14 August 2017 10:57 AM
To: Jessica Saad
Cc: 'Stephanie Lane'
Subject: RE: Exhibition of Draft Management Plans for Killen Falls and Tosha Falls
Attachments: KF management plan response.pdf; Input to KF draft management plan.pdf

Jessica,

Thankyou for the opportunity to respond to the public exhibition of the draft management plan for Killen Falls and Tosha Falls.

Please see attached a document in response together with a copy of our earlier submission referenced in the draft plan

Kind regards,

Peter & Stephanie Lane
38 Killen Falls Drive, Tintenbar, NSW, 2478

From: Jessica Saad [mailto:Jessica.Saad@ballina.nsw.gov.au]
Sent: Monday, 3 July 2017 11:13 AM
To: p.lane@jacksonlane.com.au
Subject: Exhibition of Draft Management Plans for Killen Falls and Tosha Falls

Good morning,

Please find attached letter to you dated 28 June 2017.

Regards,

Jessica

Jessica Saad
Property Officer



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Response to a draft management plan for Killen Falls

1 Introduction

We are the owners of a property at 38, Killen Falls Drive (Lot 2 on DP 251994) located immediately adjacent to the south boundary of Killen Falls waterfall and reserve. We have owned this property for fourteen years and in that time have carried out extensive rainforest regeneration and environmental improvements.

We and the environment are now being seriously impacted by the effect of large numbers of people visiting the Falls following the recent installation of a viewing platform. These are the unintended consequences of well-meaning development initiatives that have not been fully thought through.

We contributed to the preparation of the draft management plan in a document attached to this submission. We also made a deputation on this matter at the recent council meeting on 22nd June. We have now read the draft management plan on public exhibition and respond as follows:

2 Management report objectives:

The objectives of the plan of management are to:

- Manage the land consistent with the provisions of the Local Government Act 1993.
- Provide for the safety of visitors to the subject land.
- Ensure the ecological viability of the land by protecting its biodiversity and promoting rehabilitation of rainforest.
- Protect and respect the aesthetic, heritage, recreation, education and scientific values of the land and Emigrant Creek.
- Investigate facilities proportionate to site use that allow public enjoyment of the land.

3 Core objectives:

Pursuant to section 36 of the Local Government Act 1993, it is intended that the subject area remains categorised as "Natural Area - Bushland".

Section 36J of the Local Government Act 1993 identifies core objectives for management of Community land categorised as bushland as follows:

- (a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
- (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- (c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and
- (d) to restore degraded bushland, and
- (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and

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(f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term,
and

(g) to protect bushland as a natural stabiliser of the soil surface.

7 core objectives relate specifically to environmental considerations - 2 give an oblique reference to public use with the proviso that any management practice should implement measures directed to minimising or mitigating any disturbance caused by human intrusion

So on this site the environment gets first priority over public enjoyment and rightly so

4 Local Planning scheme (Section 3 of the report)

The land is Zoned Rural 1 (b).

The site is adjacent to and within 50m of land designated:

Zone 7(l) Environmental protection (Habitat)

Conditions applying to Rural 1(b) are discussed in section 3.1 of the report but no mention is given to the adjacent Zone 7(l) land which is of high environmental and conservation value

Any consideration of the future use of the subject site should give consideration to the use of adjacent land. Section 3.1 of the management report is silent on this issue.

It does however give consideration in Section 4.4 to the to the Bower Bushworks report of 2004 which identified in great detail the environmental qualities of the site and those immediately adjacent. And I quote:

The private land immediately opposite the subject land is a genuine Big Scrub remnant that is an excellent seed source for all areas in the locality. It is part of the Killen Falls Vegetation Restoration Management Plan area. The land opposite the subject land is considered by Bower Bush Works to be of regional and even national significance due to its environmental attributes.

The Council land has, since 2004, been subject to extensive work by neighbours and the Big Scrub Landcare group in conjunction with Council. A lot of work recommended by Bower Bush Works has been undertaken. The weed removal and extensive rainforest regeneration now ensure the subject land provides an important link between the rainforest remnants on both banks of Emigrant Creek. Council's land will add further to the biodiversity of this area as it matures and expands.

Bower Bush Works predicted in 2004 that up to 13 threatened mammals, eight threatened birds, one threatened reptile and a threatened beetle would likely occur in and around the subject land given the proximity of a Big Scrub remnant across the creek. The caves behind and around the falls were known to be used by endangered micro bats as a daytime roosting spot. It is believed that the high level of daylight use in recent years has disrupted the bats, and they may no longer roost at the site.

I would also draw your attention to my own observation in our earlier submission to council which is annexed to the report as follows:

We have personally noted the loss of a breeding pair of white bellied sea eagles who for the last 12 years nested in a large tree adjacent to the falls and used the basin below as their fishing ground. They have not been sited since the installation of the viewing platform.

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So the management report acknowledges the environmental values and importance of the site and provides a number of recommendations for limiting access to adjacent bush land but then goes on to encourage access to the area below the falls by providing a handrail.

This particular recommendation and the resulting increased use of the site for swimming will be disastrous for whatever endangered species there are that may somehow have survived the recent onslaught from the public. I cannot stress more heavily the importance of limiting public access to the area below the falls for the purpose of swimming.

We have no objection to people visiting the viewing platform to observe the falls and then leaving the area. This short term visitation will substantially reduce the current load on parking space and the amount of rubbish generated. Importantly it will also eliminate the requirement for toilet facilities and the on-going cost and problems they will inevitably cause.

This position is supported by Rous Water who in their letter dated 9 Jan 2012 stated:

- *Rous Water recognises that the lack of toilet facilities at the site represents a constraint on the nature and extent of visitation at the site.*
- *However, given the environmental constraints and parking limitations at the site, Rous Water considers that the current 'low-key' nature of the existing level of development at the site is appropriate.*
- *Rous Water is concerned that the installation of toilet or other facilities would further increase the level of visitation and potentially lead to adverse impacts on neighbouring properties (including both Rous Water and local residents).*

So we refer you again to the way forward listed in our earlier submission on this matter:

- **Ban swimming**
- **Stop promotion**
- **Freeze all capital works**
- **Control access below falls**
- **Limit parking to 1 hour**

Having now read the draft management plan, we call on council to accept only those recommendations that improve safety and access to the viewing platform and focus on protection of the former pristine environment. Take every action to discourage swimming or long duration visits and forget about wasting money on a toilet facility that will inevitably cause more problems than it solves.

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Input to draft management plan for Killen Falls

1 Introduction

We are the owners of a property at 38, Killen Falls Drive (Lot 2 on DP 251994) located immediately adjacent to the south boundary of Killen Falls waterfall and reserve. We have owned this property for fourteen years and in that time have carried out extensive rainforest regeneration and environmental improvements.

We and the environment are now being seriously impacted by the effect of large numbers of people visiting the Falls following the recent installation of a viewing platform. These are the unintended consequences of well-meaning development initiatives that have not been fully thought through.

2 Current situation

2.1 Ownership

Killen Falls is located on Emigrant Creek immediately below the Emigrant creek dam operated by Rouse Water. The site is accessed over a section of public land identified as Lot 1 on DP 251994. The parcel of land which includes the waterfall and part of the creek is owned in freehold by Ballina Shire and is classified as "Community land". Ballina Shire Council has the care, control and management responsibility for the land.

2.2 History

The site of the waterfall was previously in private ownership until the original rural lot was subdivided in about 1976. At that time, Lot 1 became vested in Ballina Shire. To the best of our knowledge little or no capital or maintenance works were carried out by council on the subject land in the period from 1976 to about 2004. At that time the current carpark and associated landscaping and visitor information signage was completed largely by Rouse Water in connection with the existing Emigrant Creek dam infrastructure. Access to the waterfall was via an informal track that was rarely used by the public.

In 2004 the council commissioned Bower Bush works to prepare a "Killen Falls Vegetation Restoration Management Plan". This study identified and evaluated the existing environmental assets in the adjacent Big Scrub rainforest remnant and outlined a management plan for future care and maintenance.

With some limited assistance from Council, the local 'Landcare' group took it upon themselves to regenerate the rainforest remnant with a view to improving the environmental quality of the site. This work has established extensive plantings of rain forest species over part of the subject site.

2.3 Recent development

In late 2015 the council installed a viewing platform at the top of the falls and carried out improvements to the access track from the existing carpark to the viewing platform location. We provided access across our land at that time to facilitate the contractor's completion of the construction work. At about this time the facility began to be promoted as a tourist attraction on various internet sites as well as the council's official website.

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2.4 Utilisation

Following installation of the viewing platform and subsequent promotion of the facility the number of visitors to the waterfall has dramatically increased. While actual data on visitor numbers is not available we have noticed a massive increase with dozens of cars overspilling the formal carpark and lining the access road for about 100m beyond on both sides. On one particularly busy day in the recent Christmas holiday period we counted 72 parked cars in Killen Falls Drive and noticed over 50 people swimming in the water hole below the falls. (Refer to the following photograph.)

It would appear that the primary attraction for most visitors is the opportunity to swim in the water hole below the falls.



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3 Risks & hazards

3.1 Personal injury

3.1.1 Falls from heights

The modified path to the viewing platform while sometimes slippery is adequate for the purpose. The informal path beyond the viewing platform involves a steep and treacherous descent over sharp rocks and boulders to the creek level below. This represents a real and present risk of falls and serious injury to members of the public who may be ill equipped and inexperienced for such a dangerous activity. In fact there have been recent reports of serious injuries including broken limbs that required the attendance of the ambulance. It is only a matter of time before someone is fatally injured.

3.1.2 Drowning

The water hole below the falls is generally quite cloudy and the bottom is of irregular and unknown depth. Swimmers enjoy jumping into the water from adjacent rock ledges at various heights above the water. This activity is particularly hazardous and could easily result in a person hitting submerged rocks and being rendered unconscious.

3.1.3 Snake bites

The adjacent Big Scrub remnant rain forest is a known habitat for many species of venomous snakes. Large brown snakes have been sighted regularly in the area by local residents and visitors

3.1.4 Vehicle accidents

The existing carpark area and approach road is at peak times a dangerous place, particularly for small children. Cars are seen reversing across pedestrian access ways from parking bays and other informal parking locations. Some cars approach the parking area at dangerous speed and pedestrians often emerge from behind bushes into the path of moving traffic. The intersection at Friday Hut Rd is particularly dangerous as it is located on a sweeping downhill bend and several near misses and accidents have been reported.

Council rubbish collection vehicles also use the carpark area for collection stops and turning at the designated turning bay. Unfortunately, this turning bay is often obstructed by visitor's cars causing the truck to make a hazardous reverse manoeuvre all the way down the approach road to collect resident's and council bins. This situation has the potential to result in serious harm to unwary pedestrians and places an unreasonable burden of care on the truck driver.

3.1.5 Contaminated water

Blue-green algae and other toxic agents are known to be present from time to time in the creek water. Notices are often issued to local residents by Rouse Water alerting us to the hazard in the creek and advising against swimming in or drinking the water. Serious illness can be caused by exposure to such contaminants. Ref. NSW Dept. of Primary Industry website: *"Blue-green algae, or cyanobacteria, are the most ancient of all photosynthetic organisms. Some produce poisons harmful to humans and possibly fatal to domestic animals and fish - neurotoxins and liver toxins, and skin allergens."*

3.2 Environmental damage

3.2.1 Zoning

The site is zoned 1(b) and is immediately adjacent to a section of remnant rain forest zoned 7(l) *Environmental Protection - Habitat*. Council must have regard to the impact any development of the site will have on the adjacent land.

Input to draft management plan for Killen Falls

3.2.2 Vegetation

The quality and value of the Big Scrub rainforest remnant that currently dominates the site has been fully documented in 2004 by Bower Bush Works in their report titled *"Killen Falls Vegetation Restoration Management Plan"* funded by the National Heritage Trust. The report concluded that, *"The Killen Falls remnant is considered to be of regional and national significance due to its environmental attributes"*

The report further stated in relation to Tracks & human visitation:

"A network of tracks within small remnant ecosystems may pose a threat to the condition of a remnant through increased light conditions and impacts associated with human activities. Visitation to small isolated remnants is best kept to a minimum level and to low-key low-impact activities to minimise disturbance to fauna and to maintain scenic amenity and ecological integrity."

From recent observations, we are very concerned that the negative impacts predicted in the report are now taking effect.

3.2.3 Fauna (Extract from Bower Bush Works report)

"Killen Falls remnant and the adjacent surrounds provide important habitat for a range of sedentary and nomadic fauna."

"Killen Falls itself comprises a large overhang or open cave with a number of smaller caverns and holes scattered along the rock face. The site is likely to have supported a significant communal roost site. It is important that roost sites are not regularly disturbed. Activities that disturb roost sites should be prohibited or actively managed."

Documented species that are dependent on the Emigrant Creek water at this location include, Bush hen, Eastern water dragon, Black Bittern, White bellied sea eagle, Platypus, Water rat, Large footed myotis bat, various aquatic invertebrates and fish. The site also provides habitat for several frog species.

We have personally noted the loss of a breeding pair of white bellied sea eagles who for the last 12 years nested in a large tree adjacent to the falls and used the basin below as their fishing ground. They have not been sighted since the installation of the viewing platform.

3.2.4 Noise

Swimming activities by large numbers of people in the basin below the falls produces excessive and disturbing noise both to us as neighbours and to the local native fauna. The acoustics within the chamber are particularly reverberant and encourage people to shout excessively.

3.2.5 Pollution

Large numbers of people swimming in confined spaces will inevitably result in pollution of the water. The longer people stay at the site the greater is their need for toilet facilities. At present, there is evidence that people are staying for long periods of time and through necessity are relieving themselves in the adjacent bushes. This is both unsightly and harmful to the environment.

3.3 Social issues

3.3.1 Crime

There have recently been increased reports of thefts from vehicles parked adjacent to the site. On one occasion a person was apprehended in the act of stealing items from a parked bus and Police were called.

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Input to draft management plan for Killen Falls

3.3.2 Noise

Refer to 2.2.3 above

3.3.3 Quiet enjoyment

Due to the number of vehicles parking in Killen Falls Drive there are many instances of disturbance caused by people blocking driveways, picnicking in front of properties and causing nuisance to neighbours. The noise of people shouting while swimming is also intrusive and disturbing.

3.3.4 Amenities

Council has recently installed a temporary portable toilet to address the pollution problem however it is feared that this facility will also encourage some to stay overnight.

3.4 Property values

Promotion of Killen Falls as a tourist attraction comes at a cost, most particularly to neighbouring property owners affected by the change. It is difficult to quantify this cost but apart from the day to day loss of quiet enjoyment there is the hard issue of reduction in property value.

4 Risk management

4.1.1 General

The current high level of risks to health and safety are largely due to the number and duration of visitations to the site. This has clearly become beyond the capacity of the existing infrastructure.

It has been suggested by some that development of the site infrastructure with additional toilets, car parking and road improvements will address the current situation. We and others in the vicinity take the view that any improvements will simply attract more people and compound the problem even further. This is clearly demonstrated by the massive increase in problems following the installation of the viewing platform.

We believe that mitigation of risks will be most effectively achieved when total visitor hours are reduced and dangerous activities are eliminated.

4.1.2 Shorter visitations

Since most of the problems appear to be due to people swimming, we suggest that this activity be prohibited as originally stated on the Council website. This will result in substantially shorter visitation times where activities are limited to short walks to the viewing platform. This can be most effectively achieved by limiting car parking in Killen Falls drive to 1 hour, so giving adequate time for passive, non-invasive activities. Enforcement of such restrictions with fines is essential but need only be policed randomly or at peak times to be effective.

Access beyond the viewing platform down to the creek must be restricted by the installation of a substantial man-proof fence from the adjoining boundary with Lot 2 to the cliff edge. Permanent signage should be provided at the carpark and at other locations beyond, to prohibit swimming and advise penalties.

4.1.3 Reduced visitor numbers

A ban on swimming will immediately reduce the number of visitors, as it seems most people come here solely for that purpose. We believe there are adequate alternative swimming opportunities in the Shire to satisfy that requirement.

Input to draft management plan for Killen Falls

5 The way forward

In conclusion, we strongly urge the council to incorporate the following actions as part of the future management of the site:

- Ban swimming
- Stop promotion
- Freeze all capital works
- Control access below falls
- Limit parking to 1 hour

We need to protect our environment and the native wildlife for future generations.

19 July 2017

To Jessica Saad
Killen Falls and Joshua Falls management (317-06)

Ballina Shire
Council

Hello Jessica

My name is David Bester and a long term resident of 34 Killen Falls Drive Tintenbar. Just some more feedback on the master plan on Killen Falls. The master plan draft is definitely a step in the right direction as I have mentioned to council once before. However I would like to see a further speed reducing bump to slow down traffic up at the first bend as you go down to Killen Falls. It's quite apparent that vehicles speed up straight away entering Killen Falls and the vehicle speed increases to a dangerous risky level. Also a sign for the public to remind them to place their litter rubbish in the Bin would be appreciated, with an extra bin or two where the new parking is provided. In addition a few seats for people to sit down on either along the pathway to the waterfall or near the public toilets provided, could be beneficial to someone who is of mature age to rest. Also in the draft plan there is no mention of placing bollards directly across the road outside our place on Rous water Council side to stop parking ^{of cars} people from impinging on road way access. This could make it a little safer for traffic and pedestrians etc, as there not too much room for clear access. In addition, a small grate, drain at our front gate would be appreciate to help to water flow coming off the road that comes into our residence would be appreciated. Thank you the council for your consideration on these slight changes to the master draft plan for Killen Falls.

Your sincerely
David Bester
David Bester



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Our Ref: AA/VG: 439/09 (107717) (49005)
Your Ref: Killen and Tosha Falls Plans of Management (316-04)

4 September 2017

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Att: Ms Jessica Saad

Dear Madam

Draft Plan of Management: Killen Falls

Thank you for your letter received 7 July inviting Rous County Council (RCC) to provide comment on the draft Plan of Management ('the draft plan') for Killen Falls Reserve (dated 8 June 2017). In this letter, Rous County Council (RCC) has been requested to provide Ballina Shire Council (BSC) with comments to assist Council to provide a framework for the long-term management of this land.

RCC has reviewed the draft plan which provides a systematic assessment of the issues and provides a comprehensive outline of the potential opportunities for the future development of facilities, access and infrastructure at the site and addresses public safety – it is a well researched and put together document.

However RCC considers that having regard to the significance of the issues that have now been highlighted in the draft plan, and, in light of the significant site constraints at this location, that it may now be appropriate for BSC to reconsider the overall objectives for the site and the objectives of the current management planning that is underway.

It is the view of RCC that the level of visitation to the site has reached a level that is inappropriate for the nature of the site. Whilst the provision of some additional facilities and the measures identified in the draft plan will better manage visitation at certain times, RCC is of the view that it would not be possible nor desirable to try to provide infrastructure to cater for the extended periods of peak demand. A further concern is that implementation of improvements at the site such as that outlined in the draft plan may attract additional visitation and trigger the need for additional parking and other facilities.

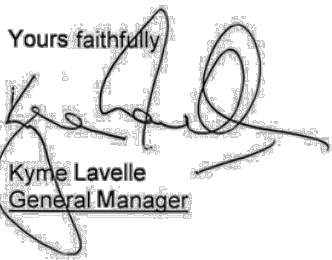
With the benefit of understanding the scope of the issues highlighted in the draft plan, it is the view of RCC that rather than just identifying measures to better manage existing demand, that efforts should be made as part of the current planning process to reduce the attraction to the site so as to alleviate some of the issues that are being experienced. Measures that are worth consideration in this regard to reduce pressures at the site that have not been considered in the draft plan are:

 BULK WATER SUPPLY WEED BIOSECURITY FLOOD MITIGATION

- **Paid parking:** the cost of parking will reduce the popularity of the site, as well as potentially providing a source of funds for the identified improvements.
- **Restricted hours:** the installation of a boom gate at the top of Friday Hut Road would allow all hours access for local residents, but enable Council to control the timing of visitation to the site and minimize the incidence of camping.
- **Identification and removal of material promoting and encouraging visitation to the site:** it is understood that the site is actively promoted on a range of websites and through social media. RCC considers that if it is the intention to manage the site as a low profile location, then it would be worth systematically reviewing the ways in which the site is promoted, and actively seek to remove these promotional materials/postings.
- **Prohibition of commercial use:** whilst it may only represent a low percentage of the overall visitation, given the traffic constraints associated with buses/minibuses accessing the site, it may be worth Ballina Shire Council considering the prohibition of commercial tourism at the site. Rous County Council has prohibited commercial operators at another set of falls within the region and this has successfully reduced pressures at the site (both in the water and in the carpark).

Thank you for the opportunity to provide this feedback. Rous County Council would be happy to meet with you to discuss these matters further. Should you require any further information regarding this matter please contact me or Mr Anthony Acret on (02) 6623 3828.

Yours faithfully



Kyme Lavelle
General Manager