

1. **Attendance and Apologies**

2. **Declarations of Interest**

3. **Deputations**

NA

4. **Confirmation of Minutes – 13 November 2018**

A copy of the minutes of the previous meeting held 13 November 2018 was distributed.

RECOMMENDATION

That the minutes of the previous meeting held on 13 November 2018 be accepted as a true and correct record.

5. **Business arising from Minutes – 13 November 2018**

Cyclists – Burns Point Ferry

There is no formal Council policy for cyclists using the Burns Point Ferry. Passengers on bicycles are expected to abide by the Roads Act and Regulations, the signposted passenger information, and to take direction and instruction from the Ferry operator as necessary.

There have been no incidents and near misses reported by the Ferry operators with regard to the conduct of cyclists waiting for or leaving the Ferry. The operators did not raise undue concern with cyclist behaviour when consulted on this matter.

There are pedestrian and cyclist passenger information signs on both approaches to the Ferry ramps, and in the pedestrian / cyclist waiting area on deck. The signs suggest cyclists (and pedestrians) remain within the marked travel path when entering the lift ramp, that cyclists walk on and off the Ferry, and that they allow vehicles to exit the Ferry before proceeding.

The passenger information sign on the South Ballina approach is positioned adjacent to the boomgate, and a "stop line" is marked underneath the gate. It is unlikely the operator would lower the lift ramp if a cyclist was waiting in front of the boomgate.

The passenger information sign on the Ballina approach is positioned approximately 9m in front of the "stop line", and approximately 4m behind the boomgate. Cyclists are expected to wait at the stop line but must keep behind and clear of the boomgate. The position of the passenger information sign will be reviewed as part of the upgrade to all the Ferry signs, with a view to positioning it closer to the "stop line".

Porter Park Signage

A copy of the response letter sent to the Ballina District Residents and Rate Payers Association is attached for the information of the Committee.

6. General Business

NA

7. Staff Presentation

Paul Busmanis, Manager Engineering Works will provide an overview of current activities within Council's Engineering Works section.

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.

Draft Policies as per below

- Complaints Management Policy, closing date 19 December 2018
- Local Directional Signage within Road Reserves Policy, closing date 19 December 2018
- Banner Poles Policy, closing date 19 December 2018
- Backflow Prevention Policy, closing date 9 January 2019
- Donations - Rates and Charges Policy, closing date 9 January 2019
- Donations - Rates and Charges Policy, closing date 9 January 2019
- Donations - Insurance for Environmental Volunteer Groups Policy, closing date 9 January 2019
- Urban Vegetation on Public Land Policy, closing date 9 January 2019
- Corporate Sponsorship Policy, closing date 30 January 2019

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

The following draft policy is a new policy and is being exhibited for public comment

New Policy as per below

- Metered Standpipes Policy (New)+ Fees, closing date 9 January 2019

Council's Backflow Prevention Policy was reviewed by Council at its Ordinary meeting on 22 November 2018.

The information on standpipes contained within that Policy, was separated out into a new policy. The intent of this change is to make information on the use of metered standpipes more accessible to the community. The objective of this to improve compliance and reduce the risks to Council of uncontrolled or illegal access to our water supply system.

- Flat Rock Tent Park - Proposed 2019/10 Fees and Charges, closing date 9 January 2019

The NSW Local Government Act requires councils to formally advertise and adopt their fees and charges prior to implementation. The majority of Council's fees are set each June as part of the annual Operational Plan however Flat Rock Tent Park's fees are set for the twelve months from 1 February each year.

- Proposed Name Change - Elizabeth Ann Brown Park, closing date 7 November 2018

The Elizabeth Ann Brown Park Concept and Management Plan seeks to identify management issues and propose actions to protect and address the amenity and heritage significance of the Park.

The concept plan and management plan can be downloaded from Council's website.

Council's resolved at the 27 September 2018 Ordinary meeting, as follows:

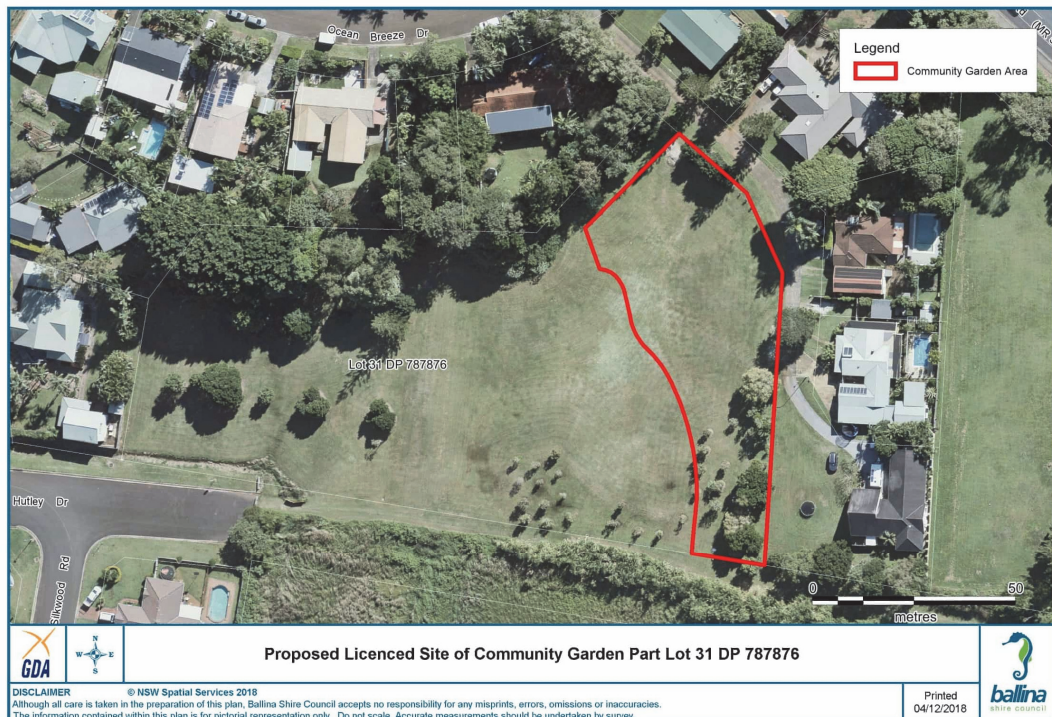
1. *That Council confirms its support to change the name of 'Elizabeth Ann Brown Park' to 'Elizabeth Ann Brown War Memorial Park', subject to the proposal being placed on public exhibition.*
2. *If no submissions are received opposed to the proposal, Council authorises a submission be made to the NSW Geographical Names Board. If opposing submissions are received, the community feedback is to be reported back to Council.*

No submissions were received to the name change and an application was made to the Geographical Names Board to have the name changed. The Board will give consideration to the application at their meeting on 5 March 2019.

- Consultation - Community Garden Proposal, Ocean Breeze Reserve, Lennox Head, closing date 11 January 2019

The adopted Ocean Breeze Reserve Master Plan (2017) included provision for the establishment of a community garden within the reserve. Council has received an application from Lennox Community Gardens Incorporated to progress the development of the garden. Council is supportive of the application and is seeking feedback on the submitted proposal and design of the garden. A copy of the proposal can be viewed on Council's website

As part of the application, as the land is classified as Community Land, Council is proposing to enter into a licence agreement with Lennox Community Gardens Incorporated in accordance with the provisions of Section 47 of the Local Government Act 1993. Written submissions are invited with respect to the granting of the licence.



9. Next Meeting

The next regular meeting is scheduled to be held on Tuesday, 14 May 2019 at 4.00pm.

Meeting dates for 2019 are as follows:

Thursday 9 July 2019
Thursday 10 September 2019
Thursday 12 November 2019

enquiries refer

John Truman

in reply please quote

Doc No: 18/71576, 18/96300



11 December 2018

Mr Ross Pickering
Ballina District Residents & Rate Payers Association
10 Daydream Avenue
BALLINA NSW 2478

Dear Mr Pickering

Re: Alcohol Prohibition in Porter Park

Thank you for your inquiry regarding alcohol prohibition in Porter Park. Further to our discussion at the recent A Ward Committee meeting, I apologise for the delay in responding to your letter.

The Council has a policy for the regulation of alcohol on public land. A copy of this policy is available on our web site.

As set out in the policy, there are two forms of alcohol regulation that are available to manage alcohol consumption in public areas. These are Alcohol-Free Zones and Alcohol Prohibition.

Alcohol Free Zones prevent the consumption of alcohol on public roads, footpaths and car parks in defined areas. For Ballina Shire, Alcohol Free Zones have been implemented in the Ballina, Lennox Head, Wardell and Alstonville CBDs.

Pursuant to section 632A(4) of the Local Government Act 1993, Council can prohibit the carrying and/or consumption of alcohol in public areas such as parks, reserves and beaches by the placing of signs prohibiting these activities.

The policy proscribes how Council applies this statutory and under the policy the Council has established a prohibition on the carrying and/or consumption of alcohol in all the above types of public areas within the Shire from 10.00 pm to 7.00 am every day. Therefore this prohibition applies to all parks and reserves.

However, the policy also says the following in respect of sports fields and sporting events.

All sports fields and surrounding reserves are Alcohol Prohibited areas. This declaration will make sporting events more family friendly, with the consumption of alcohol limited to areas of the reserve that have been licensed for the sale of alcohol. This declaration will assist the clubs in meeting their licensing obligations by ensuring the only alcohol that is consumed at a sporting event must be purchased from the licensed bar and consumed in the licensed area.

This provision typically applies to locations where formal sporting activities are undertaken, many with licenced areas, such as the Ballina Hockey Club Complex, Quays Reserve (Ballina Rugby Club), and Williams Reserve (Lennox Head Combined Sports).

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Mr Ross Pickering
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The reason the alcohol prohibition signs recently installed at Porter Park refer to licensed areas instead of the 10.00 pm to 7.00 am daily prohibition is because under the Council's Plan of Management for Community Land, Porter Park is categorised as a Sportsground (there is a separate category for Parks). Typically the areas designated as sportsgrounds are sites where regular competition or formal sports are conducted. Therefore as Porter Park is categorised as a sports field the signed provisions apply.

The Plan of Management for Community Land is updated from time to time and staff propose to recommend to Council during the next update for Porter Park to be reclassified to the Park category. In the opinion of staff this categorisation more correctly describes the current use of the area. If this recommendation is supported, as per the policy, the alcohol prohibition (10.00 pm to 7.00 am) provisions would apply.

The reason Council generally applies the prohibition from 10.00 pm is to enable family and other social activities to occur in our parks and reserves as for the majority of times these activities are undertaken responsibly. Council is able to extend the hours for alcohol prohibition at a location, including for a full 24 hour period. Typically this is a strategy applied in response to requests from NSW Police to assist their activities to address antisocial behaviour at a specific location.

I understand your preference would be for the continued full time prohibition of alcohol at Porter Park, and as per the above, this is an option and the advice of NSW Police would be the key aspect in any determination by Council.

In light of the above, the note in the A Ward Committee is incorrect. The advice was appropriate for a park and it is very unusual for a reserve embellished and used such as Porter Park to be categorised as a Sportsfield instead of a Park and this was only identified when staff arranged to install the signs as a follow up to your original request.

I trust this information clarifies this matter. Please contact me if you would like to further information.

Yours faithfully

John Truman
Group Manager
Civil Services