

1. **Attendance and Apologies**

2. **Declarations of Interest**

3. **Deputations**

4. **Confirmation of Minutes 8 November 2018**

A copy of the minutes of the previous meeting held 8 November 2018 was distributed.

**RECOMMENDATION**

That the minutes of the previous meeting held on 8 November 2018 be accepted as a true and correct record.

5. **Presentation by Council Staff**

To inform the community further in regard to Council's programs and services, members of our Senior Leadership Team will provide a presentation to the ward committees.

The presentation will be made by Caroline Klose, Manager Communications.

6. **Business Arising from Minutes – 8 November 2018**

(a) **OSSM Inspection Fees**

In response to questions asked at the last meeting, staff advise as follows:

In 1998 new legislation (Under the Local Government Act, 1993, Section 68) was introduced that made it mandatory for local councils to monitor and approve the operation of all on-site sewage management systems and ensure that these systems complied with environmental and public health performance standards.

All councils that have non-sewered suburbs must implement an inspection regime and issue an Approval to Operate certificate for all OSSM systems in their local government areas. In addition to this, councils must develop an on-site management strategy and keep a database of all OSSM systems.

This new legislation was introduced as a result of the much publicised Wallis Lake incident in 1997, where 400 members of the public became severely ill after consuming shellfish from the region. Faulty on-site septic systems were suspected to be the source of the virus which caused the illness.

Ballina Shire Council estimates there are approximately 3,200 OSSM systems in our local government area. All of these OSSM systems are required under legislation to be inspected.

Council's focus is on inspecting high risk properties where the public and environmental health risks, are more likely to be compromised – such as near waterways, priority oyster aquaculture areas, drinking water catchment areas and small blocks.

Unfortunately the compliance staff have found a high level of failures (approximately 50%) in the OSSM systems being inspected, and with such high failure rates it has become extremely resource intensive to regulate the rectification works of all these systems. One of the problems lies within the fact that most people are not even aware that the OSSM system is failing.

In summary, the inspection program is ongoing but its extent at any given time is subject to the need to ensure that rectification works are carried out and checked when issues are identified during inspections.

In regard to the level of the OSSM charge, Council's fee structure is very similar to our neighbouring Councils such as Lismore City Council, Richmond Valley Council, Clarence Valley, Tweed Shire and Byron Shire.

Every ratepayer in our shire with some kind of sewer system is charged for sewerage. In urban areas, ratepayers who don't have an on-site septic system pay annually \$735 for vacant land or \$975 for residential wastewater.

The annual OSSM charge of \$60 has gone towards:

- a survey and continuing inspections of OSSM systems to identify defective systems.
- education material for homeowners across the shire so that they can identify a failing system and opt for a voluntary upgrade.
- 16 factsheets to assist the community with their OSSM systems.

Council has also revised the OSSM strategy and guidelines which provides property owners, plumbers and consultants with the necessary information to install or upgrade a new OSSM system.

Council is adopting a proactive approach towards our on-site sewer management system rather than being reactive – Council would rather prevent systems from failing through education rather than through audit inspections. However at the moment, a combination approach is necessary.

There are a number of laws that govern the approval, operation and regulation of OSSM systems:

- Local Government Act, 1993
- Local Government (General) Regulation, 2005
- Protection of the Environment Operations Act, 1997
- Catchment Management Authorities Act, 2003

The levies raised by the OSSM charge are placed into Council's General Fund. These levies only partly fund the surveys, education material and factsheets provided by Council. The remainder of the costs of the scheme are met from other General Fund revenue.

In regards to the query raised by Mr Carney, it is a requirement under NSW legislation (Section 3.0 Maintenance of the NSW Ministry of Health accreditation) to ensure that all aerated wastewater treatment systems (AWTS) are serviced at three monthly intervals. This is a mandatory requirement and not at the discretion of Council. This ensures that the AWTS continues to operate within the defined performance standards as detailed in the NSW AWTS accreditation process. Failure to do so will result in sub optimal performance of the AWTS and will lead to significant public and environmental health risks including the potential introduction of harmful pathogens into our environment and impact on our local waterways.

There is also a resource intensive regulatory role that Council has ensuring that all property owners are complying with NSW legislation and fulfilling their obligations to service their AWTSs at quarterly intervals.

**(b) Removal of Shelter from Bulwinkel Park**

Council staff have met with the Landcare group and logging contractor recently and are presently working through options for engaging Essential Energy coordination for the large weed tree removal at the reserve.

Open Space and Reserves do not wish to remove the existing shelter without adequate public consultation and having the works in the delivery program for construction of a new shelter. Opportunity to include this in future operational works will continue to be investigated. The request for cleaning of the shelter was actioned and will continue to be monitored.

**(c) Rifle Range Road Speed Sign Covered with Vegetation**

The vegetation was removed on 22 November 2018.

**(d) Rous Mill Recreation Reserve**

Engineering Works staff contacted Steve Miller to determine and agree on the scope of works. Weed spraying was completed late last year, and two large camphor trees in the middle clump have been felled and removed from the site. All agreed works will be completed by the end of 15 February 2019.

**(e) Elizabeth Ann Brown Memorial Park – Public Art and Disabled Parking Space**

Council has recently adopted an updated Elizabeth Ann Brown Memorial Park Concept and Management Plan, which addresses the proposed embellishment and parking configuration. Community consultation was undertaken in the preparation and review of the plan. As it has been recently endorsed there are currently no plans to undertake a further formal review.

As part of Mr Lutze's request, Council consulted with the Alstonville RSL Sub Branch as a key custodian and stakeholder in the parks role as a War Memorial. It was a view of the Alstonville RSL Sub Branch that "any proposed changes would not reflect with the intent of the plan for the park".

**(f) Removal of Services Club Sign near Frank Street, Alstonville**

The signs were removed on Thursday 6 December 2018.

**(g) Street Lighting in Alstonville Main Street**

The road lighting in Main Street Alstonville will be subject to Council receiving further advice from Essential Energy about options for LED light fittings under the shire wide LED bulk replacement program.

The architectural (black coloured) footpath lights (Council operated) are also being investigated due to ongoing maintenance problems with the current light fittings. A proposal for next year's budget has estimated \$40,000 of additional funds required for replacement of these light fittings, and this will be subject to forthcoming budget approvals.

**(h) Green Street Footpath**

This same matter was brought to Council's attention in September 2013 by Don Page MP on behalf of a constituent.

The relevant section from that response relating to Green Street is set out below:

It is noted that the constituent also makes reference to footpaths being constructed across some steep driveways. This is a difficult situation for Council. As you may be aware Council has followed RMS guidelines and produced a Pedestrian Access and Mobility Plan (PAMP). This document has provided a prioritised delivery program for upgrading of footpaths across the Shire, including Alstonville. A number of footpath projects have been completed in and around Alstonville village over the last few years, which comprises fitting new footpaths to existing nature strip areas.

The difficulty with fitting new footpaths to existing nature strips, which is typical for Alstonville, is that it is not possible to reshape driveways to suit an ideal footpath location at all properties. In these cases it would either require work on private land (easements or acquisition) or complete road and drainage reconstruction to readjust road levels. A practical outcome for Council is to provide a "best fit" footpath in accordance with the needs identified in the PAMP to suit most users. The only other alternative available to Council would be to not proceed with footpath connection upgrades due to these constraints. This latter consideration does not represent a balanced approach to the provision of footpath infrastructure for the community.

(i) **Follow up on NBN Works not completed in Green Street Alstonville**

Council staff inspected Green Street and reinstated a section of nature strip adjacent the footpath near the UPA building entrance on Green St, south of the Ballina Road intersection.

**7. 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
- Financial Assistance (Hardship) Rates and Charges, closing date 6 March 2019
- Code of Meeting Practice, closing date 21 March 2019
- Investments Policy, closing date 10 April 2019
- Donations – Waste Disposal Fees for Not-for-Profit Disposal of Feral, Orphan Animals, closing date 10 April 2019

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

The following draft policies are new policies and are exhibited for public comment

**New Policies as per below**

- **Metered Standpipes Policy and 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.

- **Private Swimming Pool Barrier Fencing, closing date 6 March 2019**

On 1 September 2018, the NSW Government gazetted a new Regulation for swimming pools, which included the addition of new fees that Council can charge as well as increasing some current fees listed within Council's Fees and Charges.

This new policy is a result of the new regulation and will guide Council's approach to the management of private swimming pool barrier fencing and to outline proposed changes to Council's fees and charges having regard for recent legislative changes.

- **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.



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

**Alstonville/Wollongbar Chamber of Commerce**

1. Update on Survey for Leisure Centre Upgrade
2. Update on carparking off Commercial Road
3. Implementation of Tosha Falls Management Plan approved by Council but unfunded
4. Proposed Bicycle/footpaths from Alstonville to the following:
  - Wardell Road to Summerland House Farm
  - Bruxner Highway to Dirty Wheels Mountain Bike Track
  - Extension along Pearce's Creek Road to New Wollongbar Sports fields
  - Lumley Park to Tosha Falls

**9. General Business**

**10. Reporting of Safety Related Matters**

Committee members are encouraged to contact Council where matters relating to public safety are identified in the community rather than wait until a Ward Committee meeting to raise these types of issues.

For example, road or footpath conditions that raise safety concerns, the presence of hazards in public spaces or environmental damage should be reported to Council as soon as possible.

**11. Next Meeting - Thursday 9 May 2019 at 5.00 pm**

Meeting dates for 2019 are as follows:

Thursday 11 July 2019  
Thursday 12 September 2019  
Thursday 14 November 2019



Ballina Shire "C" Ward Committee Minutes 8 November 2018 at 5.00 pm

---

1. **Attendance and Apologies**

Councillor Ben Smith (Chair)  
Councillor David Wright (Mayor)  
Councillor Eoin Johnston

Pat Carney – Wardell Progress Association  
Lois Wright - Plateau Seniors  
Mary Birch – Wollongbar Progress Association  
Ron Birch – Wollongbar Progress Association  
Jim Hahn – Probus Club of Alstonville  
Marilyn Hahn – Probus Club of Alstonville  
Geoff Gardiner – Alstonville Plateau Historical Society  
Malcolm Johnson - Ballina Environment Society  
Russell Priddle – Alstonville Football Club  
Christine Eggins – Alstonville Asphalt Watch  
Des Bourke – Alstonville Lions Club  
Steve Miler – Rous Mill Ratepayers  
Richard Lutze – Alstonville Wollongbar Chamber of Commerce

**Others in Attendance**

Doug Lipscombe – Wollongbar Progress Association

**Staff in Attendance**

Matthew Wood, Group Manager Development and Environmental Health Group  
Linda Coulter, Manager Financial Services

**Apologies**

Councillor Sharon Parry  
Elva Fitzell – Rotary e-Club of NextGen  
Wayne Garrard – Alstonville Cricket Club  
Jane Gardiner – Alstonville Plateau Historical Society  
Tyrone McGillick – Alstonville Asphalt Watch

The apologies were accepted.

2. **Declarations of Interest**

Nil

3. **Deputations**

Nil

Ballina Shire "C" Ward Committee Minutes 8 November 2018 at 5.00 pm

---

**4. Confirmation of Minutes 13 September 2018**

The minutes of the previous meeting held on 13 September 2018 were confirmed as a true and correct record with one amendment as noted below (Jim Hahn and Mary Birch).

Councillor Eoin Johnston requested that the reference to the Rous Mill Ratepayers board in item 8(d) be changed to the Rous Mill Recreational Reserve Trust.

**5. Presentation by Council Staff**

Linda Coulter, Manager Financial Services, made a presentation to the Committee on Council's Financial Services Section and 2017/18 financial results.

Mary Birch asked for an overview of proportion of ratepayers that find it difficult to pay rates. Councillor Smith indicated 3.38% is the figure for outstanding rates. Linda advised this is relatively low compared to other LGAs.

Ms Birch also asked whether a system for progressive payment of rates is still in place. Linda Coulter advised that a system enabling payment via direct debit on various time cycles is available. Council staff will consider publicising this.

Councillor Johnston enquired about inequity in rates and in particular, concern about OSSM inspection fees. Concern was also raised by Pat Carney about the requirement to pay a Council inspection fee when individuals are also required to have and pay for a private inspection. To be referred to Council's Environmental and Public Health Section for further information.

**6. Business Arising from Minutes –13 September 2018**

**(a) Bulwinkel Park – Tree Limbs Overhanging Power Lines**

The information provided in the agenda was noted.

Malcolm Johnson provided an overview of the status of the project. Progress is pending a response from Essential Energy. Councillor Smith indicated he would follow up with Council's Open Space and Reserves Section.

Mr Johnson also requested that the current shelter in the park be demolished on the basis of anti-social behaviour in the shelter and that it is generally in an unclean state. To be referred to Council's Open Space and Reserves Section for consideration.

**(b) Rifle Range Road Speed Sign Request**

The information provided in the agenda was noted.

Ballina Shire "C" Ward Committee Minutes 8 November 2018 at 5.00 pm

---

Mary Birch raised concern that the new signage is not easily seen due to overhanging vegetation. To be referred to Council's Engineering Works Section for review.

**(c) Plateau Skate Park – Site Options**

The information provided in the agenda was noted.

Richard Lutz raised the mention of the skate park in the Wollongbar Strategic Plan. Councillor Smith advised the strategic plan will not determine the skate park location. The location of the facility is a decision that will be made by the Council, with further site options analysis underway.

**(d) Condition of Alstonville Preschool Car Park Area**

The information provided in the agenda was noted.

**(e) Teven Road and Little Place Stormwater**

The information provided in the agenda was noted.

**7. Intersection Bruxner Highway and Ballina Road, Alstonville**

Mayor Wright provided an overview of the progress on the intersection improvement works including a change to the intersection configuration and a six month trial of no right turn onto Bruxner Highway from 3pm to 6pm.

**8. Council Documents on Exhibition**

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

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

**(a) Wardell On Site Sewer Management**

Pat Carney raised concern about a Council employee who required new Septic system for properties along the waterfront. Mr Carney raised concern that Council requires quarterly reporting by private contractors at a cost of \$90 per property per time and this is submitted to Council. Mr Carney enquired whether this is still required and if so requested confirmation as to why the reporting is required. To be referred to Council's Environmental and Public Health Section for review.

**(b) Rous Mill Recreation Reserve**

Steve Miller advised that the Rous Mill Recreation Reserve Trust is removing dangerous trees. Mr Miller advised that the Council land on the Cemetery Road road verge near the tennis courts contains a significant area of weeds. The Trust would like Council to assist in the removal of the weeds. To be referred to Council's Engineering Works Section for review.

Ballina Shire "C" Ward Committee Minutes 8 November 2018 at 5.00 pm

---

**(c) Water Extraction Proposal**

Mary Birch raised the development application for water extraction on land at Ellis Road. Matthew Wood provided an overview of the application and the process for assessment.

Malcolm Johnson tabled a document making various points about groundwater on the Alstonville Plateau. Mr Wood advised the document would be included as a submission in relation to the development application.

Several members of the Committee asked whether staff could provide further details about the proposal to the Committee. Mr Wood advised staff would consider providing further information on the application to the C Ward Committee in future.

**(d) Green Street Footpath**

Lois Wright raised concern about the condition of the footpath at end of Green Street near Sullivan Nicolaides. In particular the gradient of the path is difficult for mobility scooters to navigate. To be referred to Council's Engineering Works Section for review.

**(e) Elizabeth Ann Brown Memorial Park**

Richard Lutz enquired about the refurbishment of Elizabeth Ann Brown Memorial Park. Mayor Wright advised some works are planned but a timeline is not yet set. Mr Lutz suggested public art for the site as part of the war memorial. Mr Lutz also suggested that a disabled car parking space would be beneficial along with 45 degree angle parking through extension of parking into the park. To be referred to Council's Open Space and Reserves Section for review.

**(f) Services Club Sign**

Jim Hahn advised that the services club sign near Frank Street can be removed as details are now available in Alstonville Plaza. To be referred to Council's Engineering Works Section for consideration.

**(g) NBN Works Green Street**

Russell Priddle advised that a section of footpath in Green Street near the stop sign remains disturbed from work undertaken in relation to the NBN. To be referred to Council's Engineering Works Section for review.

**(h) Boral Asphalt Plant**

Christine Eggins provided an overview of Asphalt Plant issues. In particular, Ms Eggins described a distinct strong odour and fine mist/particulates floating in the air observed on the evening of 31 October. Ms Eggins also raised concern about truck movements along Teven Road. Matthew Wood advised that the matter has been reported to the EPA and encouraged residents to report such observations direct to the EPA.

Ballina Shire "C" Ward Committee Minutes 8 November 2018 at 5.00 pm

---

**(i) Street Lighting**

Richard Lutz enquired about the street lights in the main street being replaced, the concern being that the light fittings might be changed. Councillor Smith indicated that Council has been advised by Essential Energy the fittings will be retained (i.e. it is the light bulb being replaced). To be referred to Council's Engineering Works Section for confirmation.

**(j) Speed and Road Condition at Rous**

Councillor Johnston raised concern about traffic speed and road condition at Rous Mill. A response from Council's Civil Services Group was provided as follows:

*Staff recently reviewed and rejected a request for general warning signs of the type. The reason for this decision was staff did not identify any exceptional circumstances at this location.*

*The general principle is, to maintain their effectiveness, general warning signs should only be applied where motorists can expect higher levels of risk compared to the remainder of the network.*

*The pedestrian activity and driveway geometry at this location was assessed as being typical of the Shire's rural environment and therefore the signs were not appropriate and the adjustment of the 60km zone and approach warning for that was the preferred response.*

The Committee was advised that if there are details of exceptional circumstances and incident history staff are not aware of, members could provide details and staff can further review this matter.

**(k) Australia Day Award Nominations**

Councillor Smith invited nominations for the Australia Day Awards and distributed nomination forms.

**10. General Business**

Nil

**11. Reporting of Safety Related Matters**

The information provided in the agendas was noted.

**12. Next Meeting**

Thursday 14 March 2019 at 5.00 pm

**Meeting Closure**

6.30 pm