

1. **Attendance and Apologies**

2. **Welcome to new representative from Ballina Environment Society**

Ballina Environment Society have advised of a new representative to the B Ward Committee - Lianne Duffy. The former representative was Lyn Walker.

3. **Declarations of Interest**

4. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held on 18 November 2019 were distributed.

**RECOMMENDATION**

That the Minutes of the "B" Ward Committee held on 18 November 2019 be taken as read and confirmed.

5. **Deputations**

6. **Presentation by Council Staff**

Klaus Kerzinger, Strategic Planner will provide the Committee with a presentation on the Local Strategic Planning Statement (LSPS). Council has prepared this document which contains the long term land use planning strategy for Ballina Shire. The draft LSPS contains planning priorities and actions that respond to the challenges and opportunities that the Shire will face in the period to 2040. The LSPS is currently on public exhibition until 20 March 2020. The following is a link to the document on Council's website:

<https://ballina.nsw.gov.au/documents-on-exhibition--179>

7. **Outstanding Business**

(a) **Lennox Head Strategic Plan Consultation**

Work on the Lennox Head Strategic Plan is set to commence at the start of 2021. Community engagement is envisaged to begin in the months proceeding this. Council already holds a large body of feedback, relevant to the strategic plan, which has been received through the various community engagement activities for the Lennox Head Village Centre Renewal project (including the Place Score assessment completed in Sep/Oct 2019). This feedback will be also be considered in preparing the Lennox Head Strategic Plan.

**(b) Review of signage on Reside Living building in Ballina**

At the last meeting enquires were made in relation to a review on signage in the Shire and Council's Compliance section was asked to review the signage on the Reside building at Kerr Street.

Staff Comment

Following the request to investigate the advertising signage at the Reside@Ballina, Compliance officers inspected and photographed the subject premises at 274 River Street Ballina on 4 December 2019.

Following the compliance inspection, Council notified the property owner and related tenants of the commercial premises of the development requirements. Council's correspondence also specified which signs were not in accordance with Council consent.

At this time the representations from all parties, including negotiated timeframes for removal of all unapproved advertising signage have not been concluded.

The matter continues to be actioned in accordance with Council's Compliance Priority program.

**(c) Lake Ainsworth Vegetation**

Staff will continue to monitor the performance of the turf cells going forward. Some restoration works are required and staff will look for opportunities to complete this work using our road maintenance budget allocations.

**(d) East Ballina Landcare – Assistance with Tree Watering**

Council staff have assisted and lent out the electric wheelbarrows for use by the group. The group used the wheelbarrows and may use them again upon request directly to Council's Open Spaces section.

**(e) Commercial Development Site – Ballina Heights**

The site currently planned for commercial development at Ballina Heights (Cumbalum) is located off Ballina Heights Drive in the northern part of the Ballina Heights Estate. The land is zoned B2 Local Centre under the Ballina Local Environmental Plan 2012. The land is presently owned by Vixsun Pty Ltd.

**8. Business with Notice from Members**

**(a) Cumbalum Residents Association (CRA) – Community Facilities at Ballina Heights Estate**

The CRA has previously flagged the need for a public community meeting space to BSC, to which the BSC had agreed to have a meeting with the current lessees in October 2019. The CRA requests an update on the outcome of this meeting and the status of access to the community hall, by March 2020.

Staff Comment

The following information was reported to the 18 November 2019 B Ward Committee –

Council leases the sports clubhouse to Little Athletics and Tintenbar East Ballina Football Club. The lease expiration is 17 September 2021, with renewals managed in accordance with Council's Community Leasing and Licensing policy. Given the building purpose of sporting clubhouse, there are currently no plans to manage the building as a Community Facility. Leaseholders have been contacted regarding this request for use.

The Committee noted that the Manager Open Spaces has contacted leaseholders and their responses will be reported back when received.

**(b) Cumbalum Residents Association (CRA) – Evacuation Plan for Cumbalum, Summerhill Crescent and Banyan Hill**

Does BSC have an existing emergency medical flood evacuation plan for Cumbalum, Summerhill Crescent and Banyan Hill, and if not, to have one drafted for these areas.

Staff Comment

The Council has an Emergency Management Plan. This plan includes details of the operational arrangements to manage evacuations. Specifically this includes assigning roles and responsibilities across the various emergency service agencies.

For flooding, evacuations are managed by the NSW SES. The SES have a Flood plan which operates as a sub plan to the Emergency Management Plan. From an operational perspective this plan does not specify evacuation arrangements for any particular vulnerable or other location in the Shire, rather the focus is on response management.

The SES and Council staff however use Council's Floodplain Risk Management Plan and Flood Study to understand likely flood impacts for different types of events and preferred evacuation routes. This is progressive work to assist us prioritise infrastructure upgrades and to review and update our emergency plans.

For the Cumbalum area, Council has negotiated specific traffic management arrangements that allow Council to implement access to the Pacific Highway from Ballina Heights Drive when Tamarind Drive is closed.

Council is also working with RMS to complete a flood study specific to Tamarind Drive to further understand the flood immunity at this location for smaller flood events. This study will assist to inform us for options to improve the infrastructure at this location.

In previous flood events, we have successfully examined weather warnings and used our flood model to make predictions of likely inundation specific to that event. This has enabled the SES to prepare for evacuations. We have recently invested in further software that will increase our ability to match weather information and our flood study.

**(c) Cumbalum Residents Association (CRA) – Retail Centre for Cumbalum**

The CRA would like to get an update from BSC where negotiations are at with developers regarding a community retail centre for Cumbalum.

**Staff Comment**

Council also considered this matter through a Notice of Motion at its July 2019 Ordinary Meeting with respect to the commercial centre within the Ballina Heights estate (within the locality of Cumbalum). The Council resolved as follows:

*That Council include in the 2019/20 Operational Plan an action to receive a report on planning options to expedite the delivery of commercial and retail shops in the Ballina Heights Estate. The report is to canvass options such as providing additional commercially zoned land and the option of back zoning existing commercial land in association with the provision of new commercial zoned land.*

The notice of motion identified concerns about the lack of commercial development to service the Ballina Heights locality with the resolution seeking information on options to pursue the provision of commercial services in the area.

In response to the Council's resolution, staff wrote to the development proponents in the Ballina Heights/Cumbalum locality for their views on the matter.

A response was received from Planners North on behalf of the Vixsun Pty Ltd (developers of the Ballina Heights Estate and owners of the existing commercial zoned area in the estate) in two parts, namely:

- Letter dated 20 December 2019 – provided details of the history of commercial negotiations and development matters relating to the commercial zoned site. Included a proposed way forward comprising:

- a more aggressive marketing effort on the behalf of the developers; and
  - a proposal to amend the BLEP 2012 to rezone parts of the B2 Local Centre zone to the R3 Medium Density Residential zone on the basis that only 1.7 hectares of commercial land is required to service the future commercial needs of the precinct.
- Letter dated 18 February 2020 – advising that Vixsun Pty Ltd are advancing a commercial alliance with a financier to progress the construction of the commercial centre. Planners North also foreshadow that a pre-lodgement meeting will be sought in the near future to progress a development application for a commercial development.

Given that the owner of the existing commercial zoned land has indicated an intention to advance a development for commercial purposes on the land, staff now intend to await the outcome of this process before further examining alternate options for the delivery of commercial development in the locality. Delivery of commercial development on this site would be consistent with the strategic planning undertaken in planning for residential development in the Ballina Heights and CURA A/Banyan Hill area.

In association with the proposed commercial development, it is also anticipated that the developer will submit a formal planning proposal request with respect to reducing the extent of the B2 zone in due course. Should a planning proposal be received, it will be reported to Council for direction and will have regard for the status of the proposal for commercial development on the land.

**(d) Ballina Environment Society – Climate Emergency**

Ballina Environment Society would like to take this opportunity to congratulate and thank Council for making the climate emergency declaration in November 2019.

We would now like to ask how this declaration will be reflected in Council operations, including in all relevant internal procedures, management of Council assets, strategic planning, and development assessment and control functions?

Without holistic implementation of climate change mitigation across all Council operations, the declaration has little practical application.

**Staff Comment**

Council is considering its approach in relation to climate change in the context of a review of Council's Climate Action Strategy. The review of the strategy includes consideration of the various aspects of Council's climate emergency declaration resolution from November.

The review of the strategy has commenced and an initial briefing has been held with the elected Council to discuss the scope of the review and key issues for consideration. Community engagement will be undertaken as the review and strategy preparation process progresses.

**9. 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.

**Policies Reviewed**

Pressure Sewer Policy (Review)  
Pressure Sewer Property Owner/Property Occupier Manual (Review)  
Pressure Sewer Agreement (Review), closing date 12 February 2020.  
Busking Policy (Review), closing date 12 February 2020.  
Donations – Rates and Charges Policy (Review), closing date 4 March 2020.  
Footpaths and Cycleways – Inspection, Evaluation and Maintenance Policy (Review), closing date 4 March 2020  
Fraud and Corruption Control Policy (Review), closing date 4 March 2020  
Property Investment and Development Policy (Review), closing date 4 March 2020  
Risk Management Policy (Review), closing date 4 March 2020  
Liquor Licence Application Policy (Review), closing date 8 April 2020  
Investments Policy (Review), closing date 8 April 2020  
Fire Asset Protection Zones – Private Use of Public Land Policy (Review), closing date 8 April 2020  
Social Media Policy (Review), closing date 8 April 2020  
Road Closing Applications for Public Roads (Review), closing date 8 April 2020  
Weddings on Public Land Policy (Review), closing date 8 April 2020

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

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 17/012, 23 Compton Drive, East Ballina**, closing date 14 February 2020

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 2012 in respect to land located at Lot 1 DP 781542 and Lot 3 DP 525783, being 23 Compton Drive, East Ballina and the adjoining public reserve.

The planning proposal seeks to rezone part of Lot 1 DP 781542 and part of Lot 3 DP 525783, 23 Compton Drive, East Ballina from 7(d) Environmental Protection (Scenic/Escarpment) to R2 Low Density Residential, apply a 600m<sup>2</sup> minimum lot size and 8.5m maximum building height to the land being rezoned R2 and make consequent changes to the Land Application Map and Acid Sulfate Soils Map in the Ballina LEP 2012.

Council has not been authorised as the local plan-making authority and has not been given delegation by the Department of Planning, Industry and Environment to undertake the processes for finalisation of the planning proposal (should it proceed to completion).

- **Planning Proposal BSCPP 19/005 – Rural Industry Definition Change**, closing date 21 February 2020

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 1987.

The planning proposal seeks to substitute the definition of rural industry applicable to Ballina LEP 1987 with the definition of rural industry contained within the Standard Instrument – Principal Local Environmental Plan.

- **Draft Ballina Shire Local Strategic Planning Statement 2020 – 2040**, closing date 20 March 2020 (refer presentation by Klaus Kerzinger earlier in the meeting)

Council has prepared a draft Local Strategic Planning Statement (LSPS) which contains the long term land use planning strategy for Ballina Shire. The draft LSPS contains planning priorities and actions that respond to the challenges and opportunities that the shire will face in the period to 2040.

**10. Business Without Notice**

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

**11. Next Meeting**

Monday 18 May 2020 – 4.30 pm

1. **Attendance and Apologies**

*Members*

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

Monica Wilcox, Lennox Head Residents Association  
Lyn Walker, Ballina Environment Society  
Lou Wilson, Lennox Head Alstonville Surf Life Saving Club  
Brad Pollard, Lennox Head Chamber of Commerce  
Shaun Eastment, Lennox Head Landcare  
Cathy Byrne, East Ballina Landcare  
Alan Veacock, Cumbalum Residents Association Inc.  
Jim Gilchrist, Lake Ainsworth Association

*Council Staff*

Kelly Brown, Director Corporate and Community Division  
John Truman, Director Civil Services Division  
Sarah Carden, Secretary

*Apologies*

Lorraine Leuckel, Ballina Marine Rescue  
Daryl Vidler, Lennox Head Combined Services Association

*Observer*

Lianne Duffy, Ballina Environment Society

**RECOMMENDATION**

That the Apologies be accepted. (Shaun Eastment/Cathy Byrne)

2. **Declarations of Interest**

Nil

3. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held on 16 September 2019 were distributed.

**RECOMMENDATION**

That the Minutes of the "B" Ward Committee held on 16 September 2019 be taken as read and confirmed. (Alan Veacock/Monica Wilcox).



4. **Deputations**

Nil

5. **Staff Presentation - Ballina Arterial Roads Strategy**

John Truman provided an update on Council's long term strategic plans and medium term construction program for upgrading arterial roads accessing Ballina Island and the CBD area.

In the long term, Council's Roads Contribution plan identifies a strategic road works program of \$164M to cater for increased traffic caused by new urban development up to the year 2036.

In June 2019 Council adopted a four year budget to deliver \$41M of arterial road works to improve access to the Ballina CBD.

6. **Outstanding Business**

(a) **Purpose of traffic counters on western road at Lake Ainsworth**

The information was noted.

(b) **Community Facilities at Ballina Heights Estate**

The Committee noted that the Manager Open Spaces has contacted leaseholders and their responses will be reported back when received.

(c) **Williams Reserve – Irrigation and Lighting**

The information was noted.

(d) **Williams Reserve Lighting – Meeting with Contractor and Sports Association**

The information was noted.

(e) **Epiq Sportsfields – Possible Temporary Toilet Facilities**

The information was noted.

(f) **Cyclepath Connection from the Meadows Estate**

The information was noted.

7. **Business with Notice from Members**

(a) **Cumbalum Residents Association**

Motion 1: At our most recent meeting of the CRA it was resolved that BSC look into shading the existing children's playgrounds in the Ballina Heights Estate and areas around Cumbalum.

Motion 2: At our most recent meeting of the CRA, it was resolved that BSC investigate installing exercise equipment at the Cumbalum sporting fields.

Alan Veacock advised he had received a response from Council that will be tabled at next CRA meeting, updating the procedure for fitting shades to playgrounds. He noted that exercise equipment has now been removed from fire trail off Scotia Avenue, Cumbalum.

**8. Review of Ward Committee Membership**

The information was noted.

**9. Council Documents on Exhibition**

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

**10. Business Without Notice**

**a) Significant Tree Register**

Monica Wilcox asked for an update on the Significant Tree Register.

John Truman advised that information regarding the Significant Tree Register is available on Council's website (search Trees). Should any persons have difficulty in accessing the register they can contact James Brideson, Council's Natural Resources Officer.

**b) Shared Coastal Path**

Monica Wilcox asked for an update on the Shared Coastal path works.

John Truman advised the contractor's excavation work identified items of aboriginal heritage significance which caused a stop work order. A permit is required for certain sections of the path and this has been applied for. Work has resumed on areas that did not require a permit.

**c) Beach Stairs**

Monica Wilcox advised sand keeps building up at the site, so beach stairs will remain at Council depot for a little longer.

**d) Monica Wilcox – When is Lennox Head Strategic Plan Consultation**

Monica Wilcox asked when the community consultation would begin for Lennox Head Strategic Plan.

Information on when consultation will commence to be emailed out with the minutes of the meeting.

**e) Ballina Christmas Carols night**

Monica Wilcox asked if any member was involved with the Christmas Carols night as River Street Christmas banners have been converted into Christmas items by Boomerang Bags and she is looking for a contact person to promote the repurposed items.

Kelly Brown will arrange for Caroline Klose to contact Monica Wilcox. Santa sack provided as an example.

**f) Recycling**

Lyn Walker introduced Lianne Duffy from Ballina Environment Society. Lianne is researching all things that can be recycled in Australia and has installed an information display in the Lennox Community Centre.

**g) Lake Ainsworth Bins**

Monica Wilcox advised photos have been donated to Samala Heart for use on the exterior of public bins at Lake Ainsworth.

**h) Lake Ainsworth Bollards**

David Wright advised the new bollards installed at Lake Ainsworth are all made from recycled plastic.

**i) Lake Ainsworth**

Lyn Walker noted the new upgrades on the eastern side of Lake Ainsworth are looking great.

**j) Parking Lennox Head**

Lou Wilson advised the lack of parking near Lake Ainsworth is a matter of debate for Surf Club patrons.

Cr Wright responded that he attends the site almost daily and has observed plenty of parking available albeit further away from the Surf Club.

**k) Markets at Lake Ainsworth**

Lou Wilson enquired if there are plans to move the markets back to Lake Ainsworth. In his opinion, generally most people want to see the markets back at Lake Ainsworth.

General discussion surrounding the benefits of a night market, main street market and other benefits of the markets to businesses took place.

Cr Wright responded that Council resolved at the last Council meeting to reconsider this in 6 months after the upgrades have settled.

**l) Signage**

Jim Gilchrist asked for a review on signage in Ballina Shire. For example, Lennox Head podiatry shop has 3 signs in varying sizes on the façade of the building and Reside building in Ballina has 4 large signs for one business on the façade of the building. He would like Council to review the size and number of signs and to consider cutting back on signs.

Cr Cadwallader advised the community has an opportunity to comment on all policy reviews.

John Truman advised signage is covered under the Development Control Plan and compliant signs are not required to be approved by Council.

Kelly Brown will arrange for Council's Compliance section to review the signage on the Reside building at Kerr Street.

**m) Love Lennox**

Brad Pollard advised the next Love Lennox festival will be held 13 June 2020. The Chamber is aiming to encourage businesses to hold special events or Love Lennox offers around that weekend.

**n) Lennox Head Chamber of Commerce Christmas Party**

Brad Pollard advised the Lennox Head Chamber of Commerce Christmas party will be held 5 December 2019. Two trees will be illuminated on the dunes at Ross Park and intersection of Byron and Ballina Streets.

He also advised there is a Seasons Greetings art installation on the picnic shelter, with a competition to share pictures on social media and be in the draw to win a \$250 shopping voucher.

**o) Lake Ainsworth Vegetation**

Shaun Eastment shared photos of Lennox Head Landcare planting day and reported it was a great opportunity for community to volunteer and interact.

As the hot, dry summer will impact new plantings Shaun requested open spaces to assist with watering the new plants and wetting down the mulch.

Irrigation points have been established on Eastern side of Lake Ainsworth and a long-lasting grass has been planted. Shaun requested updates of grass and irrigation points to the southern side be considered.

The new carpark design at Lake Ainsworth has no water access and Shaun requested that consideration be given to water points being retrofitted.

John Truman advised staff have been discussing options, such as shutting down parts of carparking during off peak periods to rejuvenate turf cells and agreed the garden in the carparking area needs assistance. It was noted that Buffalo grass might be a better option on the southern side. John to review options with staff to determine what assistance may be available.

**p) East Ballina Landcare Watering Assistance**

Cathy Byrne advised volunteers are watering hundreds of trees by hand with buckets of water and are looking for water carting technology assistance.

John Truman advised electric wheelbarrows may be of assistance and will ask James Brideson to follow up.

**q) Flat Rock Beach Carpark Bins**

Cathy Byrne advised they are finding dumped items at Northern end of Flat Rock carpark and she requested more bins be installed.

Kelly Brown advised there are currently public bins in place at the Flat Rock carpark.

**r) Green Space Ratio**

Cathy Byrne asked if there is a shire wide ratio of green space to development space.

John Truman advised new development is required to have specific amounts of green space and developers contribute to district parks, however there is not a specific shire wide ratio and Council's Climate Action Strategy also addresses this issue.

**s) Cumbalum Solar Lights Update**

Alan Veacock asked for an update on the solar lights at Cumbalum.

Kelly Brown advised the lights have been delivered to the contractor to install and that it is expected that the lights will be installed in the near future.

It was also noted a road safety barrier had been installed at the location.

**t) Commercial Development – Ballina Heights**

Alan Veacock asked who owns the commercial site at Ballina Heights.

John Truman advised the owner of property will be reported back to this meeting and Council is also considering other suitable sites to promote commercial development at Ballina Heights.

**u) Dust at Ballina Heights**

Alan Veacock advised there is a permanent cloud of red dust from new development north of Ballina Heights Drive affecting all Ballina Heights residents.

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John Truman advised there are limits to the amount of open land developers are able to excavate at one time and Council's Compliance Officers regularly check and monitor the site for compliance.

v) **Open Drain alongside Tamarind Drive**

Alan Veacock asked what will be done to improve the health of the open drain on Tamarind Drive at the entrance to Ballina near Ferngrove estate.

Cr Keith Williams advised the drain is flushed by tides which are not particularly high at the moment.

11. **Next Meeting**

Monday 16 March 2020

Meeting dates for 2020 are

Monday 16 March 2020

Monday 18 May 2020

Monday 20 July 2020

Monday 21 September 2020 (Local Government Election is 12 September 2020)

Monday 16 November 2020

12. **Meeting closure**

6.45 pm