

**Minutes of the 'A' Ward Committee Meeting
Held 14 September 2021
ZOOM Meeting**

Time Commenced

The meeting commenced at 4.01pm.

1. Acknowledgement of Country

In opening the meeting Cr Meehan provided an Acknowledgement of Country.

2. Attendance and Apologies

Attendance

Cr Phil Meehan	Councillor (Chair)
Cr David Wright	Mayor
David Felsch	Ballina Peninsular Residents Association
Marilyn McIntosh	Ballina Evening View Club
Andrew Playford	Ballina Coast High School
Claudia P. Caliarì	Ballina Environment Society

Council Staff in Attendance

John Truman	Director - Civil Services Division
Joanne Cordery	Secretary - Civil Services Division

Observer

Jason Shrieves	Zoom
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Apologies

Cr Nathan Willis	Councillor
Ken Johnston	Ballina & District Citizens & Ratepayers Association
Yvonne Scarrabelotti	Ballina CWA
Geoff Jacobs	Ballina Bears Cricket Club (late apology)
Cr Stephen McCarthy	Councillor (late apology)

3. Resignations/Changes to Memberships

Information in the staff report was noted.

4. Declarations of Interest

There were no declarations of interest.

5. Deputations

Nil

6. Confirmation of the Minutes of the Previous Meeting

The Minutes of the previous meeting held on 20 July 2021 were accepted as a true and correct record.

7. Business Arising from Previous Minutes

Nil

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8. General Business

Next A Ward Committee Meeting and Election Information

The information in the staff report was noted. John Truman also advised that the caretaker provisions will apply for the November Council meeting and there would be no meeting held in December 2021.

9. Business Without Notice

i) Covid 19 Update

John Truman advised the committee that vaccination hubs for the aboriginal community had been held at Cabbage Tree Island and were planned for Porter Park.

ii) Compliments & Thank You

Andrew Playford thanked Council for the works done in Lighthouse Parade, Suvla Street and River Street. Andrew also thanked Council for the trees and mulch for the annual tree planting day.

Marilyn McIntosh congratulated Council on the works for the River Street Lane Duplication.

David Felsch commented that the Carrs Bridge upgrade was really great and thanked Council for the relatively quick turnaround of the programmed Ferry Maintenance.

Claudia Caliarì congratulated Council regarding the changes at Shaws Bay.

iii) Barlows Road

Andrew Playford asked about the Barlows Road connection from River Street.

John Truman advised that Barlows Road would connect with Flathead Lane and Tamarind Drive.

Phil Meehan commented that the designs and studies had been completed and that works were ready to commence when funding was available. Council applying for financial assistance to complete this project.

iv) Pop Dennison Park

Andrew Playford asked about the timeframe for the works in Pop Dennison Park.

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John Truman advised that the works were ongoing and there were some delays with sourcing and delivery of the playground equipment due to Covid-19 restrictions.

v) *Airport Boulevard*

Andrew Playford asked for an update on Airport Boulevard.

John Truman advised that stages one and two were complete but would not be open until stage three works for the connection to Corks Lane and North Creek Road were finalised. These works are anticipated to be completed in December 2021.

vi) *South Ballina 4WD Access*

David Felsch asked about the location of the concrete barriers blocking access to the beach entrance and whether they could be moved. He also asked if there was any opportunity for some beautification works to make the area more appealing.

John Truman advised the location of the barriers was determined by National Parks. David's request will be forwarded to staff to assess if there is an option to relocate the barriers.

vii) *River Drive - Safety*

David Felsch asked if Council could again look at the safety issues along River Drive and asked whether it was possible to have a centre line placed on the corners and for the speed limit to be reduced.

John Truman advised staff will be requested to consider whether centre line marking is appropriate. John also noted that Transport for NSW is the authority responsible for implementing speed zones. Finally John noted that after action review procedures are completed following fatal accidents. The review from the recent accident did not result in road infrastructure recommendations.

viii) *Toilets for South Ballina*

David Felsch asked if Council could re-investigate the opportunities for public toilets in South Ballina.

John Truman advised he would attach the previous reports regarding this item to the minutes.

Attached for the information of the Committee is:

- Extract from Delivery Program Report to June 2018 Ordinary Council Meeting.
- Copy of Report to November 2018 Ordinary Council Meeting.

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At the June 2018 Ordinary meeting, Council resolved:

That Council receive a report on the merits of a six month trial of a temporary toilet at the Keith Hall boat ramp.

At the November 2018 Ordinary meeting, Council resolved:

That Council undertake further investigation and liaison with the community (including whether alternate sites are preferred) regarding the proposal to implement a toilet facility in the South Ballina area, including the possibility of a temporary facility.

In response to the second resolution staff met with the Ballina Peninsular Residents Association representatives to consider the options, unfortunately a reasonable solution was not able to be identified for the reasons examined in the reporting.

ix) New Policy - Biodiversity Compensatory Habitat and Offsets

Claudia Caliri reported on the Ballina Environment Society's position regarding this policy.

Cr Phil Meehan noted that the BES had provided a submission to this policy and it had been included in the information reported to Council.

x) Update from Mayor

Cr David Wright advised he supported the State Government's position on COVID double vaccinations and it was great to see the number of community members taking up vaccines.

Cr Wright commented on how wonderful it was to see the community using the coastal shared paths.

10. Council Documents on Exhibition

The list of previously advertised documents was noted by the Committee.

11. Next Meeting

The next meeting is scheduled for 4.00pm on Tuesday, 9 November 2021.

12. Meeting Close

There being no further business, the meeting closed at 5.00pm.

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A Ward Zoom Meeting Attendance Sheet – 14 September 2021		
Name	Business	Signature
Cr Nathan Willis	Ballina Shire Council	Apology
Cr Phil Meehan	Ballina Shire Council	Zoom
Cr Stephen McCarthy	Ballina Shire Council	Late Apology.
Cr David Wright	Ballina Shire Council	Attended.
Yvonne Scarrabelotti	Ballina CWA	Apology
Laine Ballard	Ballina CWA	_____
Debbie Grant	Ballina Chamber of Commerce	_____
Margaret Hains	Ballina Day View Club	_____
Marilyn McIntosh	Ballina Evening View Club	Zoom.
Mary O'Brien	Lighthouse Day Club	_____
David Felsch	South Ballina Community Association	Zoom.
	South Ballina Community Association	_____
Geoff Jacobs	Ballina Bears Cricket Club	Late Apology.
Ken Johnston	Ballina & District Citizens & Ratepayers Association	Apology
Andrew Dougherty	Ballina Lighthouse & Lismore Surf Lifesaving Club	_____
Joanne McIntosh	Ballina Lighthouse & Lismore Surf Lifesaving Club	_____
Andrew Playford	Ballina Coast High School	Zoom.
Claudia P. Caliarì	Ballina Environment Society	Zoom
Sue Van Ooi	East Ballina Lions Club	_____
John Bout	Summerhill Residents Group	_____
John Truman	Director Civil Services Division	Attended.
Joanne Cordery	Secretary Civil Services Division	Attended.
Jason Shreeves	observer.	Zoom

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Extract from Item 10.6 - Delivery Program and Operational Plan – Adoption – Ordinary Meeting 28 June 2018

Ballina Peninsular Residents Association Incorp – Public Toilets

This submission requests the construction of public toilets on the Ballina Peninsula, specifically at the Keith Hall Reserve and also at the South Ballina beach or entrance to the 4WD beach access track.

A quote sourced by the Association estimates cost of (supply only) of a proposed waterless compost toilet block in the vicinity of \$22,680 per double disabled block.

Staff Comment

The current draft Delivery Program for public amenities is as follows.

Description	2018/19 (\$)	2019/20 (\$)	2020/21 (\$)	2021/22 (\$)
Public Amenities	108,000	111,000	114,000	117,000
Killen Falls	108,000			
Kerr Street Toilets		111,000		
Wardell Public Amenities Rebuild Adjacent to Tennis Courts		114,000		
Lennox Head Main Beach				117,000

Staff appreciate the estimated costs that have been provided, however due to the ground conditions, environmental considerations and public health it is anticipated that the costs would be significantly more to design and install new toilet facilities at these locations.

Similar comments were made in respect to the Killen Falls project and the final cost of that work was estimated at \$108,000.

Council has its adopted priorities in place for public toilets and those priorities will need to be amended to incorporate this submission.

The preference is to remain with the adopted priorities as Council already has a significant number of public toilets that need refurbishment. The decision to fund new toilets at Killen Falls has already resulted in the deferral, by one year, of other projects.

280618/1 RESOLVED

(Cr Nathan Willis/Cr Keith Williams)

That Council receive a report on the merits of a six month trial of a temporary toilet at the Keith Hall boat ramp.

FOR VOTE - All Councillors voted unanimously.

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11.3 Temporary Toilet Trial - Keith Hall Boat Ramp

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Delivery Program Open Spaces and Reserves

Objective To determine if a six month trial of a temporary toilet should be undertaken at the Keith Hall Boat Ramp

Background

A submission was received from the Ballina Peninsula Residents Association Inc. in response to the public exhibition of the Delivery Program and Operation Plan.

The submission requested support for public toilets to be installed at Keith Hall Reserve and South Ballina Beach.

The submission was considered in a report presented to the June 2018 meeting and in response Council resolved the following:

"That Council receives a report on the merits of a six month trial of a temporary toilet at the Keith Hall boat ramp."

This report responds to the resolution.

Key Issues

- Budget expense and resourcing to provide the trial service
- Vandalism and risk of environmental pollution
- Ensuring adequate servicing of the facility
- Monitoring and measurable outcomes for the trial

Information

The proposed location for the toilet trial is a narrow parcel of Council owned community land located between River Drive and the Richmond River; zoned RU1 Primary Production.

A location map for the site is as follows.

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Fig One: The subject site overlaid by the community land parcel Lot 1 DP958042 and Keith Hall Lane, formed road.

Inspection of the site highlighted that most of the community land will be unsuitable for location of a trial facility due to the location of other services (overhead cables and infrastructure) and uneven land in the middle of the site that is providing a drainage function for surrounding and adjoining land.

Preliminary planning investigation for facilities on the site indicate that public toilets should be permissible as development without consent under division 12 of the infrastructure SEPP.

This will still require as a minimum Part V and Section 68 applications.

Flood immunity would also need to be considered for any facilities in this location.

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The following photos, taken 5 November 2018 show the site conditions.



Fig Two: New boat ramp with floating dock. Keith Hall Lane.



Fig Three: Area of community land facing north. A temporary portable toilet facility could potentially be located in the foreground area in this photo. Strong consideration for additional protection and security for the toilet would be needed to minimize potential vandalism or environmental damage.

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Fig Four: Uneven drainage area.

Other sites may provide advantages when compared to this site and subject to community input.

In respect of costs, based on quotes from local providers of portable toilet facilities, the hire cost for a single portable toilet for a six month trial at the Keith Hall boat ramp site has been estimated to be \$2,700. This assumes a fortnightly pump out and service.

Additional costs to consider are possible vandalism and other damage to the facility, or any requirement to install and maintain additional protection measures to minimise this risk, additional servicing @ \$80.00 per service to maintain cleanliness to an acceptable standard (dependent on use), signage to indicate it is a trial public facility, and any additional resource requirements from internal staff for inspections, monitoring, consultation and data analysis.

It is difficult to determine whether a single portable toilet will meet the demand and whether the twice weekly service will be sufficient. Vandalism, misuse, and insufficient servicing of the portable toilets may also create management, pollution and service level difficulties for the trial. For this reason, if the trial is supported, it may be necessary to consider provision for additional budget to cover the potential requirement for a second facility with more frequent servicing.

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Portable toilets do not generally have any signage that would indicate that they are for public use. Signage will need to be considered as an additional cost to the project to clearly identify that the toilet is for the public to use and not related to construction or service works at the site. Signage to provide contact details to notify of issues or the need to service should also be considered for any trial period to improve response times and minimise potential issues.

By providing toilets, albeit temporary, a service level expectation is being created, which may be difficult to reverse. Usage of the facility, changes to current social behaviour and impacts to visitation in the area will be difficult to measure in relation to the success of the trial over a six month period without any current base data.

The most accurate way to gather data on the success of the trial will be to set up video monitoring of the site over the trial period to determine the visitation of the trial facility and usage of the site. This will require the setup of onsite surveillance, appropriate notification and signage that surveillance is being carried out and regular monitoring and data analysis of the footage to determine the result. However there are concerns in respect of applying this type of surveillance to a facility such as this. Therefore, the only measure of success is likely to be the monitoring of feedback from residents.

Sustainability Considerations

- **Environment**

Environmental considerations in relation to portable toilets include the risk from vandalism or lack of adequate servicing resulting in contamination of the Council reserve and Richmond River. The potential impact to the visual amenity of the area and possible odour impacts to nearby residents also need to be considered.

Planning for public facilities at the Keith Hall boat ramp will need to consider environmental planning constraints on the site particularly with regard for flood immunity, water, wastewater and sewage management.

- **Social**

The trial facility will provide additional community amenities to address the concerns of residents and may improve some social behaviour that has been highlighted as a problem for the local community, particularly near the Empire Vale Public School 3km south west of the site, ferry 2km north of the site and South Ballina Beach access approximately 6km by road north east of the site.

However the trial facility may encourage more social activity and overnight parking and create additional problems for the residents in the area from antisocial behaviour.

- **Economic**

Not applicable.

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Legal / Resource / Financial Implications

The cost of a trial if completed this financial year will need to be sourced from existing budgets and will require reallocation of other existing Council resources to implement, manage and monitor.

Hire costs of \$2,700 are noted however the report also notes there are other costs and risks meaning a budget of at least \$5,000 would be required.

The trial potentially can create the expectation that the level of service will continue in the area on a permanent basis and require ongoing funding and resourcing even if the results of the trial do not achieve the intended outcomes.

The cost benefit for a trial should be considered against the cost benefit of using the same funding to carry out a design and consultation process for permanent facilities at the site. As a design and consultation process would be one step closer to completing detailed plans and costings for delivery of permanent facilities in this location.

Council does need to be mindful that conducting a trial without any consideration for the future provision for either a permanent installation, or resources for ongoing temporary facilities, may result in community concerns in respect of our capacity to deliver.

Consultation

Consultation has been undertaken with key Council technical staff, to identify risks and options for the trial. A number of concerns have been raised based on the experience from similar trials regarding the potential for vandalism and additional servicing cost that a trial facility in this location may incur.

A formal community consultation process with the residents at this location has not been undertaken. Even in the case the provision of toilet facilities is considered important, residents may prefer for the service to be provided at another site in this general area.

If Council wishes to proceed with a trial, it is recommended this decision be subject to the completion of some consultation with the residents directly surrounding this location prior to commencement of the trial.

Options

1. Undertake a six month trial using a commercially available portable toilet with regular servicing at the Keith Hall boat ramp site.
2. Undertake further investigation and liaison with the community (including whether alternate sites are preferred) regarding the proposal to implement a six month trial for a portable toilet facility.
3. Undertake preliminary design investigations and community consultation to determine if construction of a permanent public toilet facility is feasible in this area.

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4. Note this report and take no further action at this time.

As per the information in this report, a trial is unlikely to provide reliable data and is potentially confusing to the community in respect of Council's future intentions as these are unknown based on our current Long Term Financial Plan not containing a provision for a permanent facility, or ongoing temporary facilities.

The trial is relatively expensive, and there are risks associated with the costs of the trial from vandalism and service demands.

If the Council was to propose to construct a facility of this type in this area, it is considered site assessment, community consultation and other demand analysis can reasonably be undertaken to assess the merits of a facility without the need for a trial.

As there is no forward funding for a project of this type in our current plan, option four is recommended.

If the Council is inclined to further investigate the provision of a toilet facility at South Ballina, then option three is preferred when compared against the trial.

RECOMMENDATIONS

1. That Council notes the contents of this report regarding implementing a trial of a toilet facility at the Keith Hall Boat Ramp.
2. That based on the contents of the report Council take no further action regarding this proposal at this point in time.

Attachment(s)

Nil

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221118/25 RESOLVED

(Cr Nathan Willis/Cr Keith Williams)

That Council undertake further investigation and liaison with the community (including whether alternate sites are preferred) regarding the proposal to implement a toilet facility in the South Ballina area, including the possibility of a temporary facility.

Cr Phillip Meehan left the meeting at 12:05 pm.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Sharon Parry and Cr Ben Smith