

1. **Attendance and Apologies**

2. **Declarations of Interest**

3. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held 19 September 2011 were distributed.

RECOMMENDATION

That the Minutes of the "B" Ward Committee held 19 September 2011 be taken as read and confirmed.

4. **Deputations**

5. **Outstanding Business**

(a) **Bubbler at Lennox Head Skate Park**

Three drinking fountains are being installed in Lennox Head, at the skatepark, Ross Park and near the bus shelter.

(b) **Newrybar Antique Shop DA requirements - Footpath**

The footpath works were not able to be commenced due to revisions lodged with a Section 96 application to amend the original development consent. The works in the Section 96 required changes to the originally approved works.

The Section 96 amendment was approved by Council on 19 September 2011. Civil Services then assessed the amended Construction Certificate plans and works could not commence until the Civil Construction Certificate was issued. This certificate was issued on 18 October 2011. Therefore works should commence in the near future.

(c) **Lions Club - Improvements to area around Bike Path**

The offer to work with Council has been accepted and fabrication of some seats as a trial will commence soon.

(d) **Lake Ainsworth Bollards**

Quotes are being obtained to install the bollards as soon as possible.

(e) **Use of Cracker Dust around Lake Ainsworth**

The repair of the road does require the use of a material that will not wash away such as soil and sand.

In future we will attempt to avoid the use of this material although that may not be possible.

(f) Shearwater or Mutton Birds

Seabird Rescue has been contacted but no response has been received to date.

(g) Shaws Bay Escarpment

Some works have occurred at Shaws Bay escarpment to repair immediate damage. The area is continually monitored. The signage has been removed.

(h) A Frame Signage - Eastern side of Ballina Street Lennox Head

Council resolved at the October Ordinary meeting to amend the DCP and LEP to allow A frame signage to be placed on private land.

(i) Additional Plants and Pots in Ballina Street Lennox Head

Arrangements were made for the Chamber of Commerce to purchase the plants from Council's nursery at cost price.

The plants have been provided and planted by the Chamber and Ball State University students.

(j) Williams Reserve Irrigation System

Repairs to the irrigation system are progressing and should be completed during November.

(l) BBQ in Ross Park

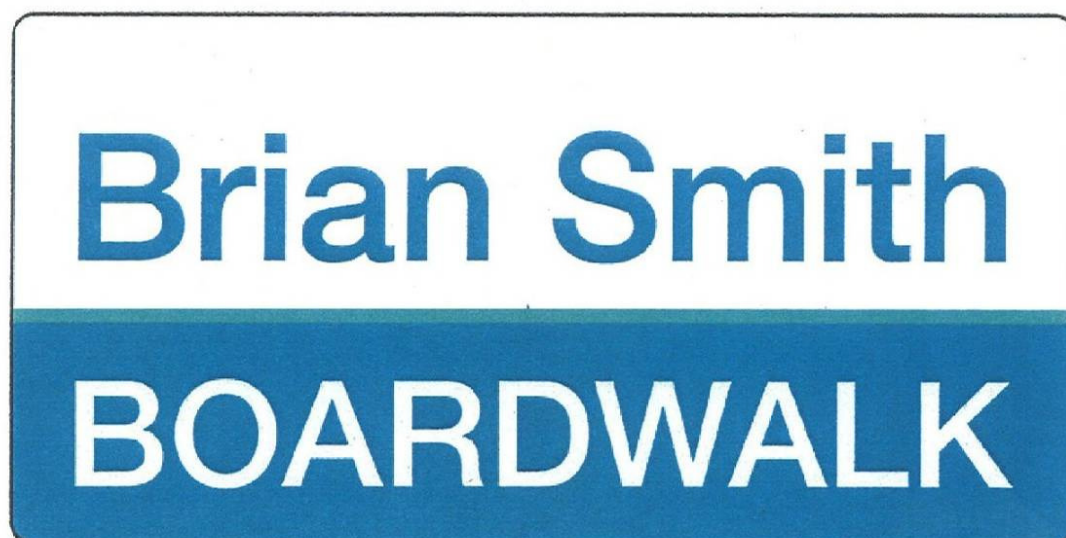
Council' staff do not support the installation of a BBQ in Ross Park. The park is already heavily used and with food outlets close by the BBQ is not needed. The cleaning of BBQs is also costly. People expect BBQs to be clean and if someone fails to clean up after themselves the next person is faced with a dirty BBQ. So even with daily cleaning it is never enough. We are currently cleaning twice a week. We have BBQs at the lake and there is ample room for picnickers there. The cost of a BBQ with shelter is about \$20,000 installed

(l) Brian Smith Boardwalk

Council resolved to name the southern end of Lennox Beach "Brian Smith Boardwalk"


Staff have met with Mrs Smith and her family and have agreed on the design of a plaque and sign that will be placed at the boardwalk. The plaque will be located on a rock at the southern end of the boardwalk and a sign will be placed at the northern end of the boardwalk. The attachment shows the sign and plaque. The plaque will be a bronze plaque with a dark blue background and the sign will be blue as indicated in the attachment.

The plaque and sign have been ordered this week and the plaque will take some six to eight weeks to be manufactured. The sign will be placed as soon as it arrives and the family would like a small ceremony to unveil the plaque on 13 January 2012, which is Brian's Birthday.



ARTWORK FOR APPROVAL

Ballina Shire Council



400mm

200mm

Brian Smith
BOARDWALK

Brian Smith
BOARDWALK

Brian Smith
BOARDWALK

salesperson John JS number 86634 artist Chris version 1 rad Filed

Before approving this artwork please ensure all details are correct including size, spelling, colour, layout and punctuation.

6552 7200 www.barriersigns.com.au
FAX 6551 0449 sales@barriersigns.com.au
29 GREY GUM ROAD TAREE NSW 2430

signature _____
This artwork remains the property of Barrier Signs Pty. Ltd.

(m) Light Pole on eastern side of Megan Crescent sportsfield

The pole in question has been inspected and appears to be on the reserve and not on private land. However, a survey has been organised to verify this information.

6. Business with Notice

Code of Conduct and Community Representatives on Committees

All community members of the Ward Committees are being reminded that they need to comply with Council's Code of Conduct. A copy of the Code is on our web site at the following link:

[www.ballina.nsw.gov.au/ Your Council/ Policy Documents](http://www.ballina.nsw.gov.au/YourCouncil/PolicyDocuments)

The core principles of the Code are to ensure that members treat each other with respect and act in an ethical manner.

The Code also asks members to declare to the meeting when they have a conflict of interest. If a Committee is "wholly advisory" (has no delegated authority) then members are exempt from the pecuniary interest provisions of the Act (section 446). This means that there is no automatic requirement for members to leave the meeting when a matter is being discussed that may have a direct financial benefit to the member, or a relative or friend of that member. The Ward Committees are "wholly advisory".

However if a matter arises due to a community member having a private interest in a specific item of the committee's business, community representatives are expected to comply with the conflict of interest provisions of the Code of Conduct. This requires that, as a minimum, community representatives disclose the nature of any conflict. For example, this may be an item that specifically relates only to the street where they live or a business they are involved in and not to a broader issue.

This update has been provided for the information of members.

Cr Jeff Johnson

- a) Lennox Head Consultative Committee proposal
- b) Review of Lake Ainsworth Mgt Plan, Lennox Strategic Plan, etc

Ballina Coastcare Incorporated

Reclassification of Lot 59 DP 197904 (Flat Rock Operational Land) to Community Land

This advisory committee has noted:

- * the many community submissions that were made to the New Local Environmental Plan appealing for the greater part of Flat Rock Land (Lot 59 DP 197904) to be reclassified from Operational to Community Land;

- * how Council received a petition of approximately 400 signatures (mainly from the East Ballina and Angels Beach community but also from elsewhere in the Shire) strongly urging the reclassification
- * how Council resolved on 23 September 2010 to receive a further report on the matter
- * how a staff report on the matter was now tabled at the October ordinary meeting recommending against reclassification
- * and how an 8:1 decision by Council has now comprehensively rejected the reclassification proposal.

This Committee expresses its grave disappointment at that decision. We are concerned that the voice of the B Ward community has not been seriously listened to in this matter, and that its wishes have not been properly appreciated or comprehensively responded to in either the report or the decision.

We believe that the report failed to answer the charge given to it by Council, that it was shallow and insubstantial, that it denied Councillors sufficient relevant information to make their own valid decision on the merits of the case, and that it was prejudiced towards a negative outcome by being written from a biased viewpoint which predetermined the outcome.

This Committee therefore appeals to Council:

- (a) that this decision be reviewed at the earliest opportunity, using whatever means may be at Council's disposal
- (b) that the review include the commissioning of a new, balanced and fully detailed Report on the reclassification, so that Council can reconsider the issue validly on its real merits
- (c) that, unlike the present report, the new report will directly answer the actual questions put to it and will give full details and fair assessment of all the pros and cons of reclassification so that Councillors can themselves weigh them up
- (d) and that the community's strongly held aspirations for the future management of this land, which we feel have been ignored at this time, be properly recognised and responded to, consistent with Council's standards of open government and community consultation regularly demonstrated within this B Ward Committee's work.

Staff Comment

In order to implement the actions listed, the existing motion will need to be rescinded (requiring the signature of three Councillors) which will then allow the rescission motion to be included in the next Council business paper, or alternatively a period of three months will need to elapse before a similar motion can be tabled.

Fred Goodman - Lennox Head Residents Association

Lennox Head Information Sign

Graham Shaw, Lennox Head Lions

1. Lake Ainsworth Protective Strategies: Developing key Actions directed by the 2002 Management Plan and the 2005 Master Plan
2. Interim Report on Interest Group's recommendations on Enhancements to Shared Path
3. Progress on Service Club Informational Signs

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.

- Heavy Haulage Contribution Plan - closing date 8 August 2011
- Assessment of the Environmental Impact of the Reconstruction of the Coast Road at Landslide North-West of Pat Morton Lookout, Lennox Head - closing date 12 September 2011
- Ballina Shire Council Drawings, Excavation Contours & Cross Sections
- Geotechnical Report by Shaw Urquhart
- GHD Review of Environmental Factors - August 2011
- Minutes Council Meeting 28072011 - The Coast Road Landslide Reconstruction
- Amendment No. 114 - Community Land POM - closing date 19 September 2011
- Weddings on Public Land Policy Review - closing date 27 October 2011
- Website - Direct Links Policy Review - closing date 27 October 2011
- Protected Disclosures Policy Review - 27 October 2011
- Property Investment & Development Policy Review - closing date 27 October 2011
- Naming of Public Places, Roads and Bridges Policy Review - closing date 27 October 2011
- Monuments & Memorials on Public Land Policy Review - closing date 27 October 2011
- Financial Assistance Rates, Charges and Fees Policy Review - closing date 27 October 2011
- Drinking Water Quality Policy - closing date 27 October 2011
- Donations - Community Halls Capital Works Assistance Policy Review - closing date 27 October 2011
- Annual Financial Reports - June 2011 - closing date 16 November 2011
- Untaken Sick Leave Policy Review- closing date 1 December 2011.

8. Business Without Notice

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

9. Next Meeting

Next meeting is scheduled for Monday, 19 March 2012 at 4.30 p.m.