

1. **Attendance and Apologies**

Members

Cr Phillip Silver (Mayor)
Cr Sharon Cadwallader
Sheila Aveling, Tintenbar School of Arts Inc
Lyn Walker, Ballina Environment Society
Ian Duncan, Newrybar
Darel Vidler, Lennox Combined Sports Association
Malcolm Milner, Lennox Head Landcare
Fran Byrn, Ballina Coastcare
Derek Audus, Lennox Lions
Neale Wilson, Lennox Head Chamber of Commerce

Council Staff

Steve Barnier
Jillian Pratten
Paul Hickey (Chair)

Apologies

Cr Jeff Johnson
Cr Peter Moore
Louise Owen, Lennox Head Chamber of Commerce

2. **Declarations of Interest**

Nil

3. **Confirmation of Minutes**

Resolved: (Darel Vidler / Malcolm Milner)
That the Minutes of the "B" Ward Committee held on 19 March 2012 be taken as read and confirmed.

4. **Deputations**

Nil

5. **Outstanding Business**

(a) **Overgrown Walking Tracks**

Noted

(b) **Newrybar Village Enhancement Plan**

Discussed in Business Without Notice

c) Noise problems that may emanate from Tintenbar to Ewingsdale Pacific Highway upgrade

Newrybar community have engaged the services of a noise expert to carry out their own assessment of the information provided. Ballina Shire Council has written to RMS regarding noise concerns as requested by the Newrybar community.

(d) Impact of erosion on southern end of Lake Ainsworth

Noted

(e) Erosion concerns with accesses to Seven Mile Beach

Noted

(f) Fence screening for Lennox Skatepark and Community Centre

Meeting was advised that a budget allocation of up to \$20,000 has been proposed in the 2012/13 budget. Jillian will be managing this project once the budget is adopted.

(g) One Way Traffic

Noted

(h) Pacific Terrace East Ballina - Overgrown Vegetation

Noted and additional clearing of debris requested.

Action: Jillian to request follow up clearing

(i) Loss of Waste Bins at Shelly Beach car park and Flat Rock

Noted and photo provided of empty bin stand between Shelly Beach Café and the Surf Club.

Action: Jillian Pratten to have a replacement bin installed.

(j) Flat Rock Tent Park Amenities Building - Development Consent

Noted

(k) Overgrown Pedestrian Track at Seven Mile Beach 4wd Track

Noted

6. Lennox Head Markets

Noted

7. **Business With Notice from Members**

Malcolm Milner

(a) Update on Hutley Drive Extension

In near future Council expects to formally submit to the Regulatory Services Group for assessment a development application, including an EIS, dealing with the proposal for the extension of Hutley Drive.

The proposal is being developed by the Council's Civil Services Group. As a proponent, the Council has conducted a community consultation program which included an "open day" session to enable residents to be informed and comment on the proposal. As part of the regulatory assessment, the development application will be placed on public exhibition and submissions invited.

Recently a community information newsletter was circulated. A copy is attached.



Name/To the resident
Address
Address

Hutley Drive Southern Extension

The southern extension of Hutley Drive has been recognised as a critical component of the future Lennox Head road network since 1988. Ballina Shire Council has been preparing a Development Application and an Environmental Impact Statement (EIS) to ensure the potential impacts of the proposed extension are properly assessed and mitigated.

Preparation of Development Application and EIS for construction

The Development Application **being put forward by Ballina Shire Council is to construct the missing road link connecting Elevations Estate and Pacific Pines Estate**. This is approximately 1 km (see map) and will complete a two-lane road corridor from the existing section of Hutley Drive southwards to the intersection of North Creek Road and Skennars Head Road.

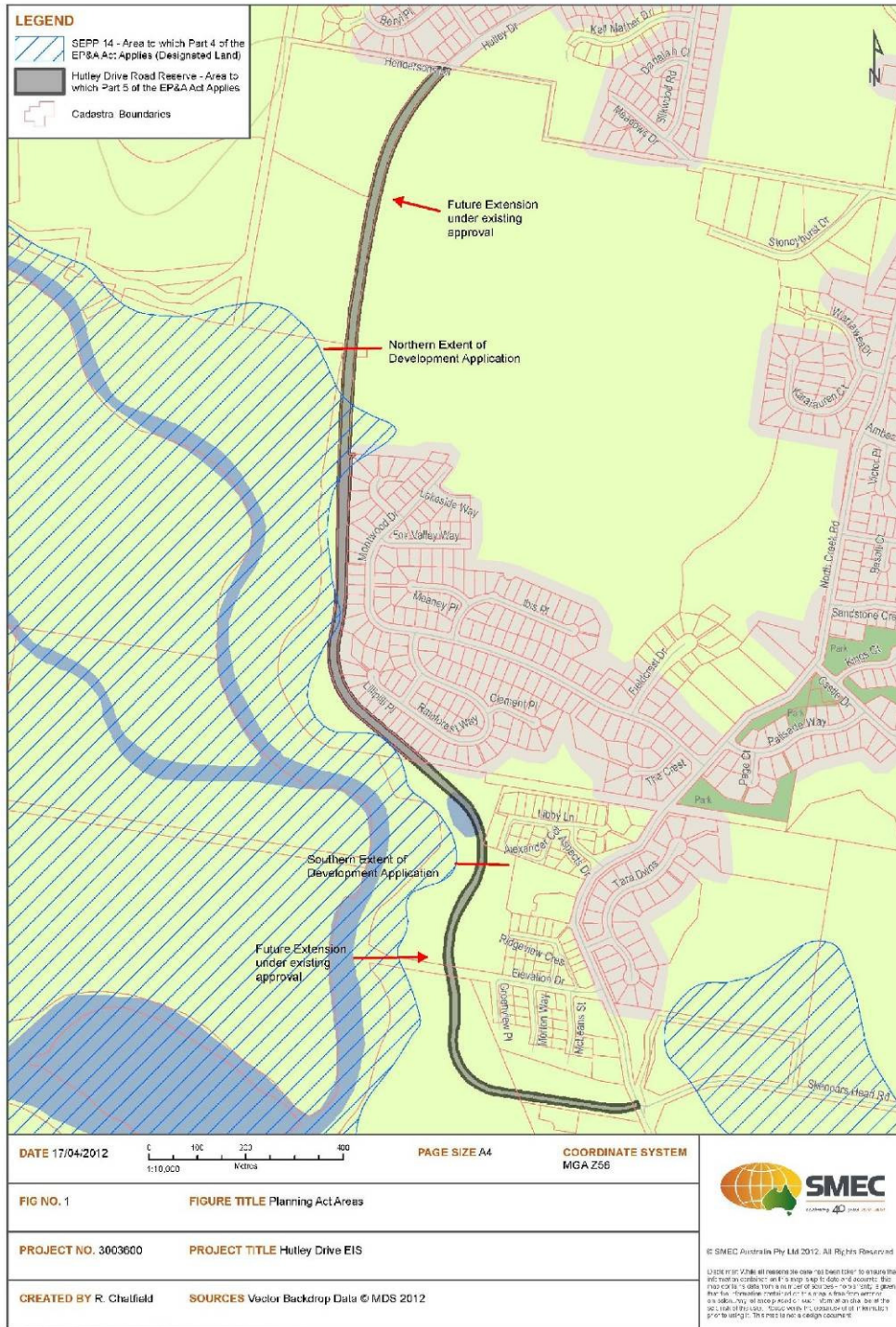
If approved, the extension of Hutley Drive will provide access for the **community to the playing fields** already under construction. The road will also service the **future residential development** of land known as Henderson Farm, on the western side of the proposed road. The rezoning of that land is occurring at the present time.

How can you make a contribution to this process?

Council is working to address the environmental, social and economic impacts of the proposed development, especially given the sensitivity of the surrounding environment and the project's close proximity to adjoining homes.

Lodgement of the Development Application is anticipated over the next two months. This process will include a public exhibition period during which the community will again be encouraged to provide feedback.

If you would like more information on the Hutley Drive extension, development application or EIS process, contact **Simon Smith on 02 6686 1234**.



- (b) **Also some info on the small slice of land east of the Lake Ainsworth Caravan Park that is not caravan park land nor road reserve. It would seem to be sufficient to make some good nose in car parking places.**

The following information, as attached, was distributed for the information of members:

1. Correspondence from Department of Lands dated 26 February 2010 detailing the proposed arrangements for Council's resignation as Trust Manager (five pages) (this does not provide surveyed maps)
2. Correspondence from Department of Lands dated 4 May 2010 regarding the gazetting of Council's resignation (three pages) (this does not provide surveyed maps)
3. Copy of Deposited Plan 1115145 which relates to the land parcels for the Lennox Head Surf Club and access to the surf club (one page)
4. Copy of Council's land register information (one page) (please note this is not a surveyed map and provides indicative outlines only)
5. Copy of Lake Ainsworth Caravan Park precinct (separate A3 attachment)

Department of Lands

Land Administration & Management
Property & Spatial Information

PO Box 272 GRAFTON
Facsimile (02) 6642 5375
Email Karen.Hembrow@lpma.nsw.com.au

Contact: Karen Hembrow
Phone: (02) 6640 3407

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Dear Paul

Re: Future Management of certain Crown Reserves

I refer to your letter of 1 February 2010 and subsequent meetings with Council staff. It is confirmed that Council's resignation as Trust Manager will be accepted for Reserves 75925, 82783 and 84107.

Components of these reserves not required as operational areas will be placed under the care control and management of Ballina Coastal Reserve Trusts (BCRT), as per the attached diagrams, being the areas outside of the blue edged areas.

The following terms would apply to the resignation,

1. Council will continue to maintain the areas of the reserves outside the caravan park.
- 2 LPMA will authorise the transfer of funds commencing at \$112,000 p.a. subject to CPI adjustment on a March to March basis for the maintenance of the Reserves outside the caravan parks. An additional amount of \$20,000 p.a. indexed to CPI will be made available annually for capital works in these areas.
3. LPMA will authorise the transfer of funds as detailed under;

2009/10	\$134,000
2010/11	\$100,500
2011/12	\$67,000
2012/13	\$33,500

to be utilised for the maintenance of Crown Reserves under BCRT's management.



4. The new Trust manager for the operational areas of these reserves, being the North Coast Accommodation Trust (NCAT), will assume responsibility for current liabilities, daily management of the caravan park areas and management contracts. This assumes that Council is satisfied that the current management contract provides for a transfer to NCAT and for a reduction in site numbers.
5. NCAT and LPMA will consult formally with Council as required through Development Application and Plan of Management processes on future development of the Parks. As Council will continue to manage Reserve areas adjoining the parks it is anticipated that an ongoing working relationship will be established.
6. NCAT is managed by an Administrator who reports to LPMA with no provision for a management committee.
7. The eastern amenities block at Lake Ainsworth Holiday Park being retained for holiday park usage. The public portion would continue in its current form on the understanding that Council would be responsible for maintenance and cleaning of the public portion.

Meetings with Council staff have reaffirmed Councils commitment to the construction of the car park opposite the surf club however they have also identified there are practical impediments to the short term relocation of Holiday Vans at Lake Ainsworth Holiday Park particularly in regard to fire safety issues.

It is proposed that on transfer, the area for the car park at Lake Ainsworth be made available as soon as required to facilitate its construction and that a Plan of Management under the Crown Lands be prepared in consultation with Council and the community to guide the development of the Holiday Park. A fundamental premise of the plan will be the option 2, central road corridor as provided in the Masterplan.

A consequence of this process will be a reduction in the availability of approximately 20 tourist sites and it is requested that Council consider a 2 year lease of its land on the corner of Ross St at a peppercorn rental to enable Holiday Park planning to be completed together with minimising the impact on available Tourism Sites.

LPMA is willing to facilitate the transfer as soon as possible as soon as confirmation of acceptance of the above terms is received.

Yours sincerely



Karen Hembrow
Acting Regional Assistant
NORTH COAST

26 February 2010



Figure 1

G:\GIS\Subsoil Search\Ballina - Lennox Carrivan Parks\Ballina_Lennox Carrivan Parks.mxd - 12/02/2010 @ 12:39:28 PM

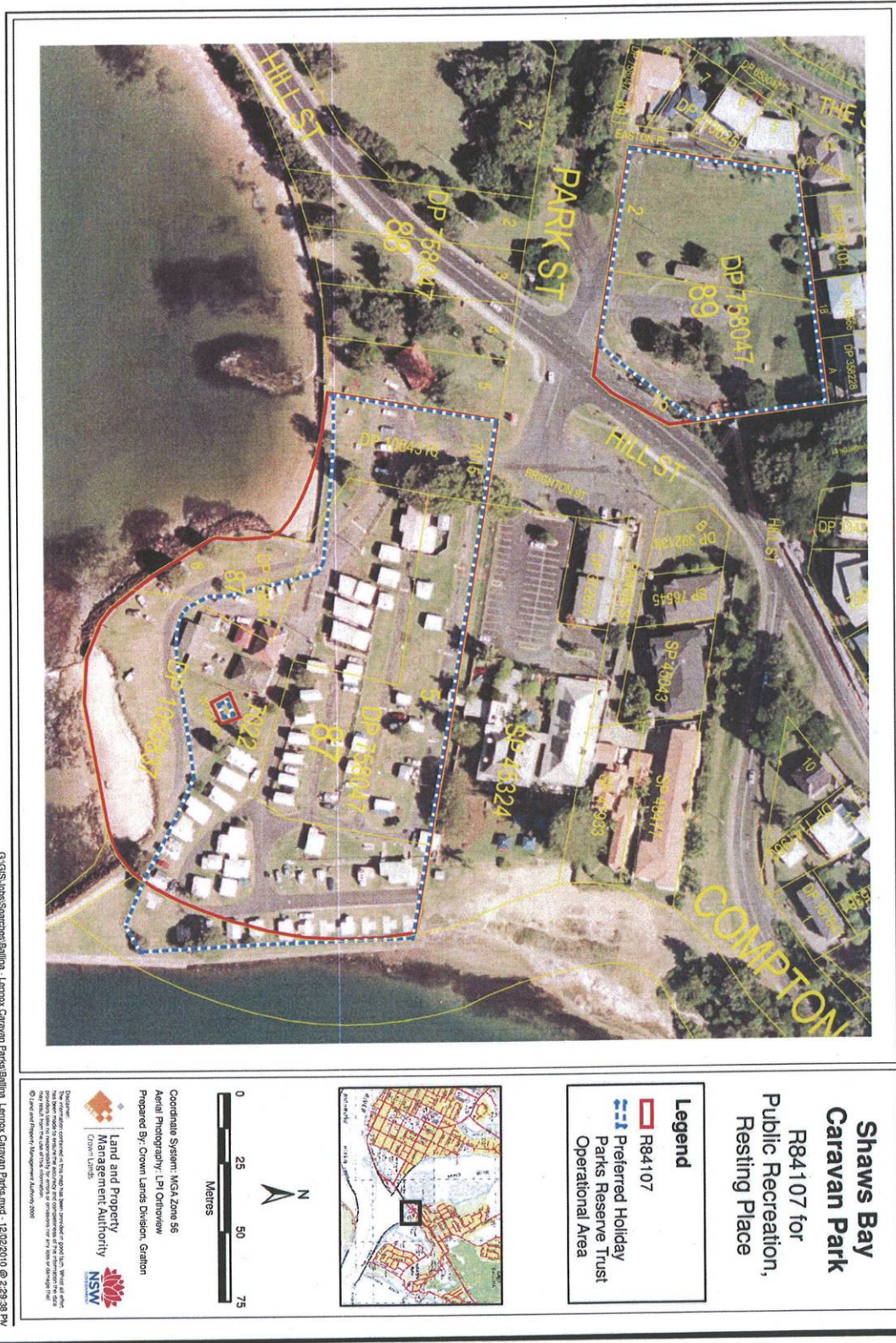
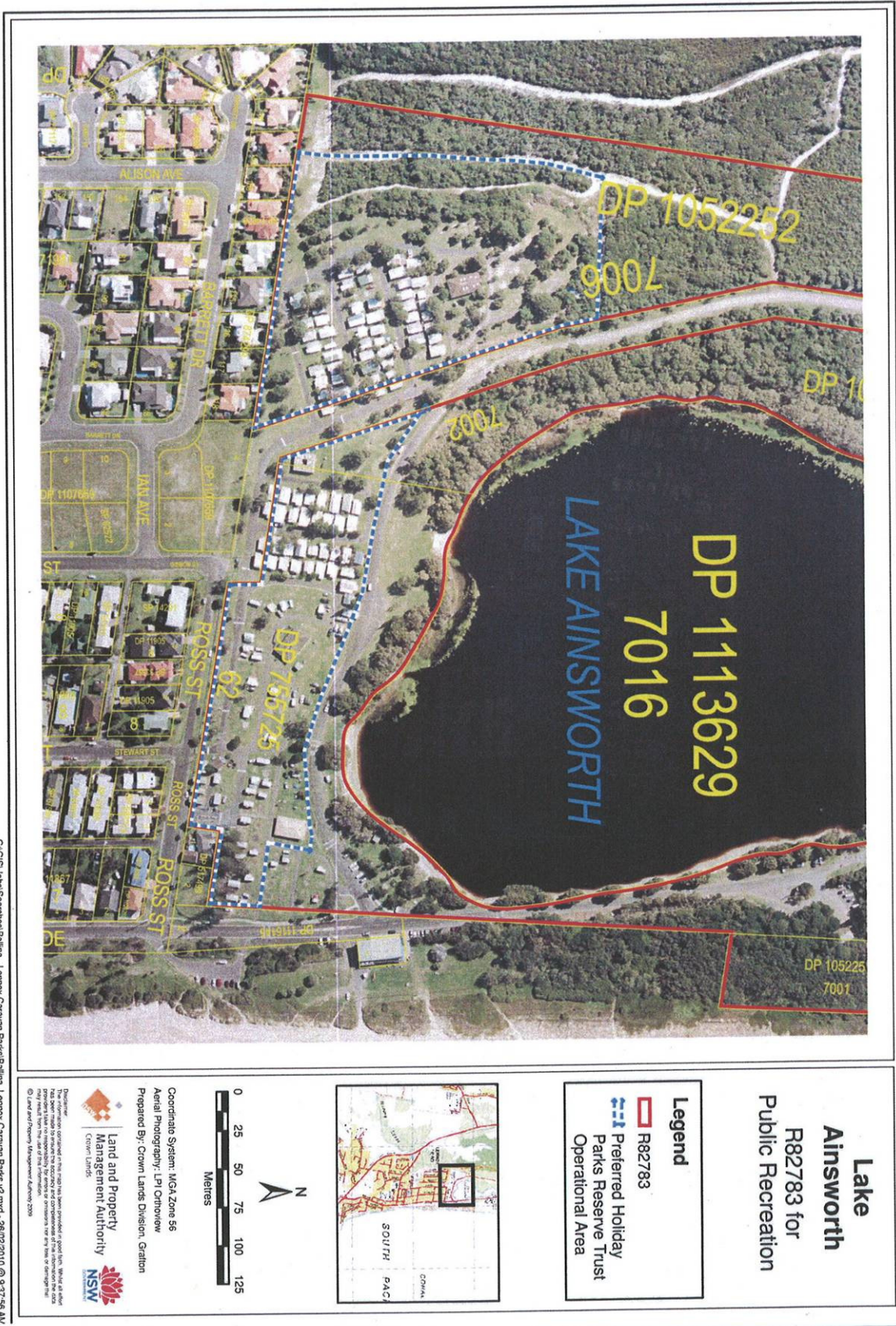


Figure 2





Land and Property
Management Authority

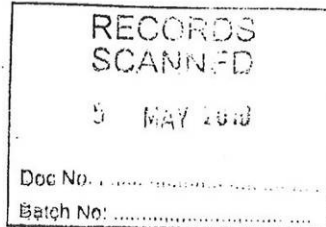
Your Ref: Ballina Cetral/Lake Ainsworth/Shaws Bay Caravan Parks
Our Ref: 10/02778
TRIM: DOC10/30946

GRAFTON OFFICE
76 Victoria Street
Grafton NSW 2460

PO Box 272
Grafton NSW 2460

Phone: 02 6640 3400

4 May 2010



Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Mr Hickey

Re: Future Management of Crown Reserves 75925, 84107 and 82783

I refer to your letter dated 29 March 2010 advising your agreement to the all the terms, with the exception of one, for the future management of Crown Reserves 75925, 84107 and 82783.

This exception has been reviewed and discussed with the incoming Trust. The incoming Trust considered that this term is acceptable. In accordance with terms outlined in our letters to Ballina Shire Council on 16 December 2009, 26 February 2010 and 11 March 2010 and advice received from Council on 29 March 2010 the Minister has approved the future management of the subject Reserves.

Please find enclosed for your information and records a copy of the following:

- Government Gazette notice for Dissolution of Ballina Shire Holiday Parks Reserve Trust,
- Government Gazette notice for Appointment of Ballina Coast Reserve Trust, and
- Government Gazette notice for Appointment of North Coast Accommodation Trust.

Arrangements should now be made directly with Mr Geoff Firkin, Administrator, North Coast Accommodation Trust to facilitate the handover of all Trust records and negotiated funds in relation to the Caravan Parks.

Should you require any further information or clarification on this matter please do not hesitate to contact me on (02) 6640 3403.

Yours sincerely

Richard Dunning
Acting Regional Manager
Crown Lands Division
North Coast

encs



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GRAFTON OFFICE
76 Victoria Street (PO Box 272), Grafton NSW 2460
Phone: (02) 6640 3400 Fax: (02) 6642 5375

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is reserved as specified opposite thereto in Column 2 of the Schedule.

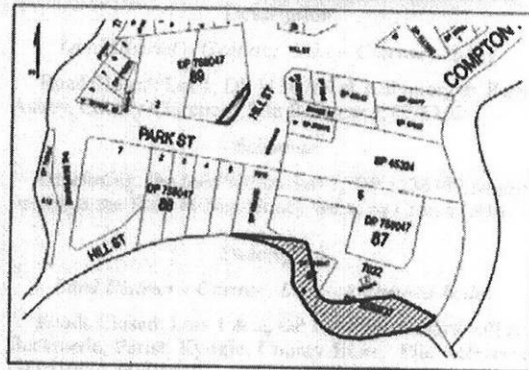
TONY KELLY, M.L.C.,
 Minister for Lands

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Lismore.	Reserve No.: 1026029.
Local Government Area: Lismore City Council.	Public Purpose: Environmental protection.
Locality: Broadwater.	
Lot 1, DP No. 123439, Parish Broadwater, County Rous.	
Area: About 1.275 hectares.	
File No.: GF05 R 44.	

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Ballina Coastal Reserve Trust.	Part Reserve No. 84107, (being part Lot 6, section 87, DP 758047; part Lot 15, section 89, DP 758047; part Lot 7022, DP 1050837 and part Lot 7015, DP 1064316, Parish Ballina, County Rous, as shown by black hatching on the diagram hereunder).
	Public Purpose: Public recreation and resting place.
	Notified: 14 December 1962.



DISSOLUTION OF RESERVE TRUST

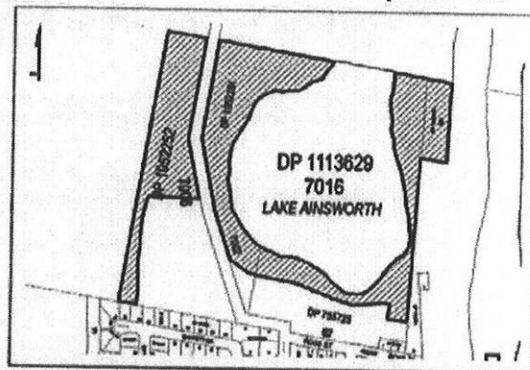
PURSUANT to section 92 (3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

TONY KELLY, M.L.C.,
 Minister for Lands

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Ballina Shire Holiday Parks Reserve Trust.	Reserve No.: 75925.
	Public Purpose: Public recreation.
	Notified: 15 May 1953.
	Reserve No.: 82783.
	Public Purpose: Public recreation.
	Notified: 9 September 1960.
	Reserve No.: 84107.
	Public Purpose: Resting place and public recreation.
	Notified: 14 December 1962.
	File No.: 10/02778.

Part Reserve No. 82783, (being part Lot 62, DP 755725; Lot 7001, DP 1052251; part Lot 7002, DP 1052251 and part Lot 7006, DP 1052252, Parish Newrybar, County Rous, as shown by black hatching on the diagram hereunder).
 Public Purpose: Public recreation.
 Notified: 9 September 1960.



File No.: 10/02778.

Note: Any tenure agreements granted by Ballina Shire Holiday Parks Reserve Trust remain in place under Ballina Coastal Reserve Trust.

APPOINTMENT OF RESERVE TRUST

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the existing reserve trust specified in Column 1 of the Schedules hereunder, is appointed as trustee of the reserves specified in Column 2 of the Schedules.

TONY KELLY, M.L.C.,
 Minister for Lands

30 April 2010

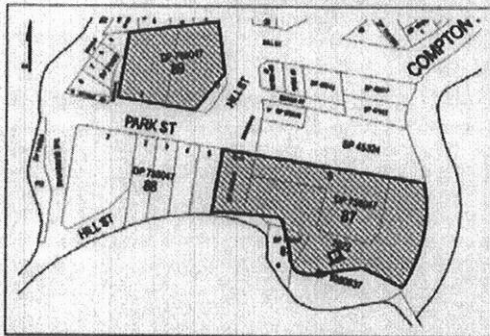
OFFICIAL NOTICES

2011

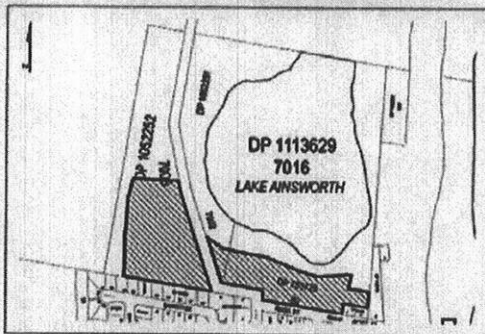
SCHEDULE 2

Column 1
North Coast
Accommodation Trust.

Column 2
Reserve No.: 75925.
Public Purpose: Public recreation.
Notified: 15 May 1953.
Part Reserve No. 84107, (being Lot 5, section 87, DP 758047; part Lot 6, section 87, DP 758047; Lot 2, section 89, DP 758047; part Lot 15, section 89, DP 758047; part Lot 7022, DP 1050837 and part Lot 7015, DP 1064316, Parish Ballina, County Rous, as shown by black hatching on the diagram hereunder).
Public Purpose: Public recreation and resting place.
Notified: 14 December 1962.



Part Reserve No. 82783, (being part Lot 62, DP 755725; part Lot 7002, DP 1052251 and part Lot 7006, DP 1052252, Parish Newrybar, County Rous, as shown by black hatching on the diagram hereunder).
Public Purpose: Public recreation.
Notified: 9 September 1960.



File No.: 10/02778.

Note: Any tenure agreements granted by Ballina Shire Holiday Parks Reserve Trust remain in place under North Coast Accommodation Trust.

NOTIFICATION OF CLOSING OF ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,
Minister for Lands

Description

Land District – Grafton; LGA – Clarence Valley

Road Closed: Lot 1, DP 1136789 at Tullymorgan, Parish Ashby, County Clarence. File Reference: 07/6162

Schedule

On closing, the land within Lot 1, DP 1136789 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Casino; LGA – Richmond Valley

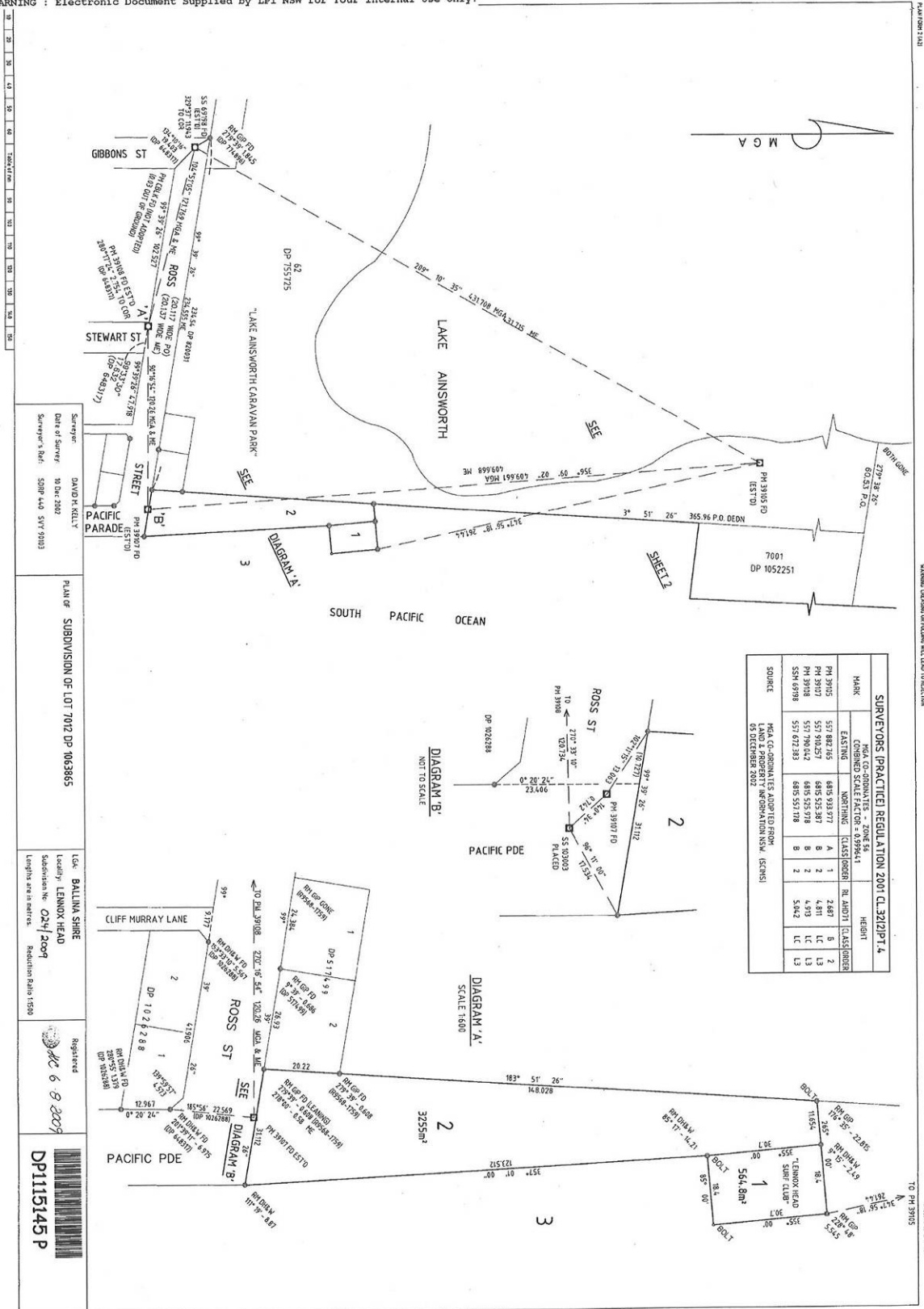
Roads Closed: Lots 1 & 2, DP 1144488 at Fairy Hill and Backmede, Parish Kyogle, County Rous. File Reference: GF05H664, 09/01519

Schedule

On closing, the land within Lots 1 & 2, DP 1144488 remains vested in the State of New South Wales as Crown Land.

Ballina Shire "B" Ward Committee Minutes 21/5/12

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 WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.





- c) **An update on Pat Morton toilet block and choice of system and information relating to choice of route for pipe line that may be required. There are landcare proposals for planting that may be impacted.**

The toilet will be a single unisex equal access toilet. The toilet will be sewerred and have water and power (solar power may yet be used) connected. The route of the trenching for these services will partly be in the road reserve, as close to the road as possible, and part will follow the shared pathway route.

The trenching should not impact on any existing Landcare plantings and Council staff are not aware of any planned works that may be impacted.

The exact route for these services will be subject to the appropriate planning approvals with a Part 5 assessment needed under the Environmental Planning and Assessment Act. This planning application is expected to be lodged shortly with assessment likely to take one to two months.

Subject to planning approval being obtained, the construction of the toilet block will most likely be undertaken by Council staff and that may take another one or two months, dependent upon the availability of staff.

- (d) **There is an interest in the timing of completion of the next stage of the cycleway to Pat Morton and whether recommendations for softening the impact are to be taken on board.**

The works currently underway (boardwalk section) should be completed by end of June 2012. The completion of the missing segment is then subject to the Pat Morton toilet block services being completed as the pathway and servicing for the toilet are interlinked. As soon as the services are installed for the toilet block Council staff will be in a position to complete the missing segment of the pathway.

It had been the preference of Council staff to wait until the second stage of the landslip works was approved by the RMS, however the RMS has advised that its preference is for Council to monitor this landslip area, rather than provide funding for rehabilitation.

The Committee should note there is some further slippage in this locality beyond the landslip works completed to date. Council had lobbied the RMS to obtain funding to fully complete the entire land slip, but the RMS's preference was to fund stage one, which is now completed, and monitor stage two.

This does mean there is a risk that if the second stage landslip works are undertaken, after Council has completed the middle segment, it will be necessary to demolish and reconstruct the shared pathway for that segment. If that does occur the RMS will be requested to finance those reconstruction works.

In respect to the B Ward Committee's recommendations for softening the impact of the path, Council has allocated \$10,000 for these works. Council's Civil Services staff plan to complete those works prior to 30 June 2012.

The elected Council did not resolve to make any changes to the planned design of the remaining segment of the shared path, therefore a similar surface to the existing section, along with handrails, where essential, will form part of the works for the remaining segment.

8. **Council Documents on Exhibition**

Noted.

9. **Business Without Notice**

Ian Duncan – Newrybar

Village Enhancement Plan

Advised the meeting with the history behind the development by the community of a Newrybar Landscape Masterplan. Advised that it went to Council and was not funded in the 2012/13 budget.

Noise from the Tintenbar to Ewingsdale Highway Upgrade

Advised that the community have engaged their own noise consultant to analyse the information that has been provided.

It was noted that Ballina Shire Council had written to Roads and Maritime Services (RMS) in response to requests from the Newrybar community.

Opening of the Hall Verandah

Advised that the opening of the new Newrybar Hall verandah has taken place. The cost of the verandah was \$53,000 with a shortfall of funding of \$7,000 being met by Ian Duncan. It is understood that a capital funding request will be submitted to Council.

Landscaping of Hall Grounds

A group has been formed to prepare landscape plans for the enhancement of the grounds around the Newrybar Hall to make the area more attractive for weddings and functions.

Newrybar Rural Fire Service

Cr Cadwallader advised that she had a Notice of Motion regarding the search for a site for the relocation of the Newrybar RFS for the May Council Meeting.

Ian Duncan and Sheila Aveling suggested the following change or addition to Cr Cadwallader's Notice of Motion:

Resolved: Ian Duncan / Sheila Aveling

That the vacant public reserve adjacent to the Tintenbar Medical Centre be investigated as a possible site for the relocation of the Newrybar RFS.

New Shire-wide Local Environmental Plan

Ian advised that he thought that there was misinformation being circulated regarding the draft LEP. Ian thanked Matt Wood for his proposed community presentation on the draft LEP.

Telstra Easement

There is a Telstra easement behind a house opposite the Harvest Restaurant. Is this able to be used as access for the public?

The meeting was advised that the easement would be able to be used only for the purpose of Telstra servicing and the easement was over private property.

Sheila Aveling – Tintenbar

Advised that construction on the new verandah for the Tintenbar Hall was about to commence.

Darel Vidler – Lennox Head Combined Sports Association

The renovations to the Williams Reserve amenity block are nearly completed with exterior painting still to be finalised.

The Rugby Union Club has received \$65,000 funding for the upgrading of the toilets in the amenity building.

There has been heavy demand for the use of Williams Reserve and Megan Crescent reserve during the wet weather.

Darel advised that the club would work with Council to organise aeration and topsoiling of a section of Megan Crescent which has suffered additional wear and damage due to the heavy usage of the field.

Fran Byrne – Ballina Coastcare

Requested information of the progress of the Ballina Roadside Vegetation Management Plan

Action: Jillian to provide an update on the Ballina Roadside Vegetation Management Plan.

Allawah Bushland Reserve.

Is this reserve to be included in the Ballina Coastal Reserve or will it remain as a separate reserve?

Action: Jillian to provide advice.

Requested information on the progress of the relocation of the Lennox Head Rural Fire Service Shed. Paul Hickey advised that it is likely to remain in its current location in Park Lane with some work to improve the conditions within the shed. It would likely stay on this site until an alternative location could be found. A development application was currently being prepared for the existing site.

Lyn Walker – Ballina Environment Society

The newly constructed carpark on the eastern side of the Lake Ainsworth Caravan Park has water running off the sealed surface that is not draining to the system provided but rather draining onto the grass and into the lake.

Action: Civil Services Group to investigate.

Requested that the Lake Ainsworth Caravan Park boundaries be surveyed. Paul Hickey advised that the setting of the boundaries and surveying the boundaries was the responsibility of the State Government and not Ballina Shire Council. Also there is no clear definition as to where the caravan park boundaries should be as the caravan park has traditionally formed part of the crown reserve.

Advised that the Lake Ainsworth surrounds are too busy on market days and during holidays.

The following motion was moved:

Lyn Walker / Fran Byrn

Resolved: That Council endeavour to get more land from the Lake Ainsworth Caravan Park dedicated for recreational use by local people.

Following the meeting Paul Hickey sought clarification on the car park area as per the Lake Ainsworth Master Plan as there was some uncertainty regarding the planned size of the car park.

It was subsequently confirmed that the car park constructed at the eastern end of the caravan park is consistent with the Lake Ainsworth Master Plan. Council's Caravan Park Manager, at the time, who oversaw the construction of that car park, Mr Scott Taylor, had plans drawn up to construct the car park approximately three times the size of that car park, providing extra spaces, however Council's planning staff would not approve that work, as the plans were inconsistent with the Master Plan. Therefore the plans for a larger car park still exist, however they will not proceed unless the Master Plan is amended to cater for that additional car parking.

Malcolm Milner – Lennox Landcare

Asked about the proposed toilet for Pat Morton Lookout and noted the information provided at the meeting.

Neale Wilson - Lennox Head Chamber of Commerce

Advised that the Chamber of Commerce supported the local management of Gromfest rather than using commercial event organisers who were not locally based.

Asked if there was any funding provided or intended to provide shade over the Lennox Skatepark. The advice is that at this stage there had been no funding allocated and that the provision of the traditional shade cloth style covers is not favoured due to experience with high levels of vandalism with such structures.

10. Next Meeting

Next meeting is scheduled for Monday, 16 July 2012 at 4.30 p.m.

MEETING CLOSURE

6.30 pm