

1. **Attendance and Apologies**

2. **Declarations of Interest**

There have been some concerns raised that members of Ward Committees are not declaring personal interests, perceived or actual, in respect to matters being discussed at Ward Committee meetings.

As the Ward Committees have no delegated authority it is not mandatory to declare pecuniary interests (Section 446 of the Local Government Act), however from a transparency approach it is good governance for members to identify items where there could be an interest, either pecuniary or non-pecuniary. These declarations can assist other members of the Committee with their understanding of the matter.

Examples of interests that should be identified include:

- Matters that may impact on family, relatives and close friends
- Business relationships
- Property ownership in close proximity to matters that are the subject of discussion.

3. **Confirmation of Minutes**

A copy of the Minutes of the "B" Ward Committee held 21 May 2012 were distributed.

RECOMMENDATION

That the Minutes of the "B" Ward Committee held 21 May 2012 be taken as read and confirmed.

4. **Deputations**

5. **Outstanding Business**

(a) **Pacific terrace East Ballina - Overgrown Vegetation**

A second inspection of Pacific Terrace has been undertaken and a photo of a section of the street is attached. Staff have undertaken clearance work along the edge of the road and will continue to monitor the road side. At this stage, given the native vegetation along the road and the natural setting, no further clearing or works are intended to be undertaken.



(b) Replacement Waste Bin

Council's Waste Section has advised that a new bin was replaced on 27 June 2012.

(c) Update on Newrybar Rural Fire Shed

As a result of a notice of motion submitted to Council's May Ordinary meeting, the following resolution was passed:

1. That Council receive a report on options for purchase/lease of land to suitably accommodate a new Rural Fire Service shed in Newrybar, including the Council owned land adjacent to the Tintenbar Store.
2. That Council write to the Head Office of the Rural Fire Service asking that they meet with Councillors to resolve this matter after a suitable site has been identified.

Newrybar RFS have advised that they would like to stay in the current location and the option of a new enlarged facility on the site is now being explored.

Preliminary investigations indicate that the current site would allow the demolition of the existing shed and construction of a larger shed that would accommodate one contemporary fire truck and one 4WD utility. Whilst this would be suitable for future anticipated requirements it will not meet the RFS Cat 2 Standard Brigade Station requirements for two fire trucks. RFS management have indicated this would be acceptable and a preliminary design will be prepared for RFS to sign off prior to engaging a consultant to

prepare a detailed design for the project. This will allow quotations to be sought to construct the project.

RFS staff have indicated that the funds allocated for construction have been carried forward and can be utilised for this project.

(d) Ballina Roadside Vegetation Management Plan Update

In late 2004 Council staff successfully applied for a \$89,000 NSW Environmental Trust Grant to prepare and implement a Roadside Vegetation Management Plan for the shire. The intent of the plan was to improve the environmental protection and sustainability of roadside native vegetation and balance that with the need to continue providing road safety. The plan requires operational changes within Council's existing roadside vegetation maintenance.

In 2005/2006, a comprehensive roadside vegetation survey of 1028km of rural roadsides above 60km/h was conducted. The findings of this survey and the resultant mapping were interpreted and incorporated into the Draft Ballina Shire Roadside Vegetation Management Plan (BSRVMP) in 2007. The plan also investigated cultural heritage and other various roadside considerations.

In 2007, training for key roadwork staff was conducted in the field to assist staff in identification of native vegetation species and communities and how the Draft BRVMP roadside vegetation treatment categories would apply.

In 2007/2008 a bush regeneration contractor was employed targeting several high value biodiversity roadside areas removing weeds and promoting the native vegetation.

In 2011, with funding shortfalls to implement the plan, staff successfully applied for a \$47,780 Local Government Association of NSW and Shires Association of NSW Grant to implement several high priority actions from the BSRVMP.

In 2012 the grant funded plan is to be implemented with the grant expenditure due for completion by March 2013. Part of the grant requirement has been for Council to endorse the BSRVMP in its entirety and approve the plan. For this to occur, Council staff and a consultant have had to review the BSRVMP updating it with legislative changes that have occurred since the original plans creation in 2007. Changes that involved the SEPP Infrastructure and additional endangered ecological communities listed under both state and federal legislation affected how the BSRVMP was to be operationally implemented.

An independent consultancy is currently undertaking a review of federal legislative changes under the Environmental Protection and Biodiversity Conservation Act 1999 and how they apply to the BSRVMP.

(d) Allawah Bushland Reserve

The Allawah Bushland Reserve is a Crown Reserve that is managed by Ballina Shire Council. It is a stand alone reserve and is not part of the Ballina Coastal Reserve.

When the reserve was created and Council was appointed as Trust Manager it was the Crown's preference that it remain as a stand alone reserve.

(e) Lennox Head Rural Fire Shed - Update

Ardill Payne are currently consulting with neighbours in respect to the Park Lane site to allow a development application to be submitted.

(f) Lake Ainsworth - Drainage

Council's Project Engineer - Works, Wes Johnstone, will contact Lyn Walker and arrange a site inspection.

(g) Lake Ainsworth Precinct

The following resolution was moved at the last B Ward Committee.

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

As the B Ward Committee has no delegated authority Councillors were advised of this resolution via the weekly Councillor bulletin to ascertain whether there was any interest in submitting a notice of motion. No notice of motion has been forthcoming.

6. Business with Notice from Members

Nil

7. King-post at Angels Beach – Heritage Assessment

The following information has been provided by Council's Cultural Development Officer.

At a previous B Ward Committee Meeting, community representatives brought to the attention of Council the potential historic significance of an alleged Samson-post located in the hind dunes at Angels Beach, East Ballina. Following an unsuccessful grant application to complete a significance assessment of the item, Council's Strategic and Community Services Group recently engaged a professional maritime archaeologist to undertake this assessment.

The importance of completing this assessment was to determine whether or not the item is a Samson-post from the WWII TSMV *Limerick*. On April 26 1943 the TSMV *Limerick* was sunk approximately 35km off Byron Bay by enemy action. It had been speculated that the item was from the *Limerick*, given it had sunk close-by its present location.

The assessment completed by Cosmos Archaeology, and reviewed by Senior Maritime Archaeology staff from the NSW Heritage Office, together concluded the following:

- The object once functioned as a post for a derrick;
- It was found at the entrance to the Richmond River in the early 1990s and was relocated to its present position around that time;
- The presence of cementing in the interior of the cylinder at the base suggests that it was laid to prevent water from leaking into a cavity under the base of the post, such as a ship's hold;
- The object is very likely to be originally a kingpost aboard a vessel;
- The kingpost could have been used at a later date as maritime infrastructure;
- The kingpost is partly composed of semi-cylindrical sections of steel which have been welded together, which dates the structure to the 20th century, and more likely to the middle decades of that century;
- Some of the kingposts on the TSMV *Limerick* were riveted;
- If the kingpost was on the TSMV *Limerick* then it would have to have been added after 1932 as a repair or part of a deck re-configuration [this is not considered the case, as outlined below];
- Based on available photographs the 9.48 m kingpost does not match in length or configuration of the kingposts on the TSMV *Limerick*;
- No wreckage associated with the TSMV *Limerick* was reported at Ballina after the sinking event;
- Wreckage from other vessels washed up at Ballina has been mostly of the buoyant variety – such as timber and floats;
- The presence of cementing at the base of the structure indicates that the cylinder was not intended to be watertight, hence if immersed it would begin to fill with water;
- It is considered not possible that this object can float for long distances;

The find spot of the kingpost, at the entrance to the Richmond River, introduces a number of possibilities for the identity of this object:

- The kingpost is very likely to be associated with a maritime related activity such as being part of wharf facilities or repair works on the breakwater [Cosmos Archaeology];
- The kingpost may also have originated from the wreck of a vessel near the mouth of the Richmond River and/or may have been carried as cargo or salvage [NSW Heritage Office]
- For the above reason[s] the kingpost is considered to be of local cultural heritage significance.

In light of the above the following legislation would apply to consideration of the future management of the item:

- The item may be considered a relic under the *NSW Heritage Act 1977*, if it did come from maritime infrastructure;
- The item may be considered an article under the shipwreck provisions of the *NSW Heritage Act 1977*, if it was part of a shipwreck;
- The item may be considered to come under the provisions of the *Historic Shipwrecks Act 1976* (Commonwealth) if part of a shipwreck;

There are two key options regarding the future management of the item:

1. Leave the item in situ - In light of the above legislative considerations, retention of the item in its present location is considered the most desirable.

The item would be retained in situ as *is* and could be interpreted based on information known about the item to date. Any action (proposed by Council or any

community group or individual) that would disturb or materially effect the site/item would require approval(s) from the relevant bodies administering the above legislation, including interpretation of the item.

2. Removal of the item from its present location – Any proposed action by Council or any community group or individual to remove the item from its present location would require approval under the provisions of the relevant legislation outlined above. This process would involve detailing a plan for management of the item away from the site.

At the present time, and subject to any further direction from the Council, it is intended to adopt option 1 above.

8. 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.

- Deed of Agreement for Lease of Community Land at Porter Park - closing date 10 May 2012.
- Draft Delivery Program 2012/13 - 2015/16 - closing date 14 June 2012.
- Draft Operational Plan 2012/2013 - closing date 14 June 2012.
- Draft Fees & Charges 2012/2013 - closing date 14 June 2012.
- Draft Budget 2012/2013 - closing date 14 June 2012
- Ballina Floodplain Risk Management Study - Draft Ballina Shire Combined Development Control Plan Policy Statement 11 - Flood Risk Management - Amendment No. 15 - closing date 9 July 2012
- Ballina Floodplain Risk Management Study - Volumes 1 and 2 - closing date 9 July 2012.
- Draft Planning Agreements Policy - closing date 1 August 2012.
- Draft Events on Public Land Policy and Guidelines - closing date 1 August 2012.

9. Business Without Notice

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

10. Next Meeting

Next meeting is scheduled for Monday, 17 September 2012 at 4.30 p.m. (this may be subject to change, given that the Local Government election is scheduled for 8 September 2012).