

1. **Attendance and Apologies**

An apology has been received from Elva Fitzell.

2. **Welcome to New Members**

3. **Declarations of Interest**

4. **Confirmation of Minutes 8 November 2012**

A copy of the minutes of the previous meeting held 8 November 2012 was distributed.

RECOMMENDATION

That the minutes of the previous meeting held on 8 November 2012 be accepted as a true and correct record.

5. **Business arising from Minutes –8 November 2012**

(a) **Alstonville Community Preschool**

Council's December Ordinary meeting resolved as follows:

That Council adopt Draft Amendment No. 7 to the Ballina Shire Principal Generic Plan of Management for Community Land to recategorise approximately 4,000m² of land on the northern edge of Crawford Park from "park" and "sportsground" to "general community use" and the insertion of special provisions to enable the establishment of the proposed Alstonville Community Preschool.

It is now understood that representatives of the preschool will continue to seek out funding opportunities to take the project forward, assuming of course that a competent development application is first prepared, assessed and favourably determined. A timeline for these next phases of work is not known.

(b) **Rural Unsealed Roads Maintenance Program**

As reported to the November meeting, Council's budget provides for annual maintenance expenditure of \$5,727 per km of unsealed road. This budget includes the programmed maintenance of pavement, drainage and vegetation, as well as inspections and other responses.

For sealed rural roads, excluding Regional roads, the budget provides for annual expenditure of \$6,009 per km of road. This budget includes the programmed maintenance of pavement, drainage and vegetation, as well as inspections and other responses, and also bitumen resurfacing. Sealed roads require resurfacing every 10 to 15 years; however, Council's current budget only provides for resurfacing approximately every 25 years.

To achieve the required frequency of resurfacing, the annual budget would need to be increased to approximately \$7,000 per km, i.e. a total increase of \$206,000.

On this basis, the cost of maintaining sealed rural roads is 22% higher than the cost of maintaining unsealed rural roads. It is acknowledged that the level of service provided by a sealed road is greater than that of an unsealed road.

In addition to the above, sealed roads generally require reconstruction every 20 to 30 years which translates to approximately 10 km per year. Council's rural sealed roads reconstruction budget for 2012/13 provides for the reconstruction of approximately 2.5 km. The average cost is approximately \$500,000 per km. On this basis, the budget shortfall for sealed rural roads reconstruction is \$3,750,000 p.a.

It is clear that Council's current budget is insufficient to maintain the existing sealed rural roads network to normally accepted standards. Major extension of the network by bitumen sealing existing gravel roads would exacerbate this situation.

In August 2004, Council resolved to undertake a program of dust sealing rural roads. This program is to be funded from savings achieved in the annual maintenance budget for unsealed rural roads. The program is intended for low traffic volume rural roads which are not subjected to significant heavy vehicle traffic. Under the program, there is minimal preparation of the existing road surface prior to bitumen sealing and, as a result, the road is not constructed to the standard required for high traffic volumes and heavy vehicle use. The current estimated cost for undertaking dust sealing is approximately \$100,000 per km. Council maintains 117 km of unsealed rural roads. Even if all of these roads were suitable for dust sealing, the cost would be \$11.7m.

Due to the wet weather conditions over the last few years, no roads have been sealed under this program since 2008/09, because there have been no savings in the annual maintenance budget for unsealed rural roads. It is likely that there will only be minimum extension of the sealed rural road network under this program.

(c) Timber seats in Alstonville main street

The five timber seats which were previously located in the Alstonville village (prior to the Main Street upgrade) were delivered to the House with No Steps in September 2012. The seats were reconditioned by the Rotary Club and have now been delivered back to the Council Works depot.

The Rotary Club have done an excellent job with the seats and they look like new seats again. Four of the seats will now be installed in Elizabeth Ann Brown Park and the fifth seat will be installed in the grounds of Crawford House.

The installation of the seats will take place as soon as possible. Again congratulations and thank you to the Rotary Club for a great job in restoring the seats.

(d) Elizabeth Ann Brown Park Refurbishment

The Elizabeth Ann Brown Park Masterplan was reviewed during 2011/12 to accommodate changes requested by the community.

The Masterplan is a concept plan that does not go into detail with respect to the final design of the Cenotaph.

The relocation and rebuilding of the Cenotaph is a project that was bought up by the Alstonville RSL Sub-branch and this group was pursuing plans and ideas for the works.

At this stage no funding has been allocated for any works in the Masterplan.

(e) Dalwood Falls

Dalwood Falls is located in between a number of properties, one of which is owned by Council and three of which are private holdings. The property boundaries in Council's system are on the edge of the water so it is difficult to say who owns the water way, but anybody entering the area to access Dalwood Falls would need to cross either Council or private land.

The enquiry posed at C Ward was 'The committee will welcome receipt of information which clarifies the ownership and management responsibilities of Dalwood falls and adjacent land'.

Council has actively tried to discourage people from accessing the falls previously and currently the Rangers inspect the site and remove litter and swings from the area surrounding the falls. In early January 2013 Council's Water and Wastewater Team Leader attended the site following a report of litter and oil contamination of the water. Any contamination of the water had dissipated however he did clean up two garbage bags of beer bottles and litter as well as a four litre petrol can that was still half full and an empty five litre oil drum. At the time of

this visit there were in the vicinity of 20 people at the site and the road had a number of vehicles parked out front including a small bus that had been used to ferry backpackers to the site.

It is further noted that this site has been listed as a tour destination in Byron Bay and the person who reported the contamination issue freely admitted to knowing the site was private land but refused to accept that visiting there was wrong.

She claimed to be a third generation Dalwood visitor having gone there with her parents and in turn taking her children there.

Issues

Dalwood falls is a beautiful site however just about every person who has reported having been there has a tale to tell of a person or persons who have been injured in accessing the site and in jumping off the cliffs or swinging on the various swings. The site is very isolated and in order for Council to inspect the site a person or persons need to go substantially out of the way. When they encounter people at the site they are generally hostile toward any attempt to move them on and is met with recalcitrance. The Police in discussions with the Rangers have expressed no urge to book or prosecute people for going there and don't want to take action.

Options

Council still holds a licence to draw water from Gum Creek at the weir which is upstream from the falls however they have not needed this point source water at any time in the last 10 years at least including the drought. Further, the water supply for Wardell and Marom Creek is now supported by the Rous supply in case of emergencies. Therefore the holding of this land to allow access to the water source in case of emergencies no longer appears to be a reason to keep the property.

The property itself is a relatively small holding and investigations are currently being undertaken to determine the value of the land and possible means to divest Council of the land.

Council may also choose to retain the land and provide access to the falls. This option is a high risk option given the heights of the cliffs and the practices of visitors, as well as the isolated nature of the site. The water source in the creek is also the source water for residents in the area for their personal household use and encouraging visitors without adequate controls would be unduly risky.

Details of the property search note that none of the four small lots has a building entitlement. As a result we would have difficulty selling the lots for any real amount and would be better off advertising them for sale selectively to the people in the area or National Parks if they were interested.

This will then be put to Council to make a decision on the proposed future strategy for Dalwood Falls.

(f) Wollongbar Sporting Fields

The earthworks contract currently in progress at the Wollongbar Sports fields site involves the bulk earthworks for the playing fields and construction of a temporary construction track from Pearces Creek Road. Those works are not expected to be completed until around the end of April, weather permitting.

The remaining civil works for the project, including the access road from Pearces Creek Road and the associated intersection, are expected to be constructed between September and December 2013. Those works are to be designed by Cardno under a contract that was awarded on 6 March 2013.

Consequently, the full scope of the intersection works has not yet been determined. However, as required by the development consent for the project, the intersection works will need to comply with the *Northern Rivers Development Manual* and the *Austrroads* requirements for the design of intersections at grade. The design therefore will need to have regard to traffic projections including the number of vehicles travelling along Pearces Creek Road and the number of vehicles accessing the sports fields site.

The intersection work is also to make provision for utility services and stormwater drainage.

(g) Tree Removal – Rear of Federal Hotel/Colonial Arcade

Council's Regulatory Services Group has been pursuing the removal of trees from behind the Colonial Hotel (C Ward 08 November 2012). On 5 December the owner of the hotel was requested to provide advice to the Council about the reasons and basis for the tree removals. He failed to reply. The Council has now issued a formal 'Show Cause' letter to the proprietor. It requires a response by 8 March. The Committee will be further advised about this matter as it progresses.

6. Christmas Decorations

Council has recently resolved to consider allocating adequate funding in the 2013/14 budget to allow the decoration of a tree in the Ballina town centre as part of the 2013/14 Christmas / New Year festive season. The estimated cost of this proposal is approximately \$5,000 to \$10,000 dependent upon the level of plant and equipment needed to install the decorations at height.

The Council also resolved to seek sponsorship or support for these decorations and for the provision of other decorations for the other major town centres; i.e. Ballina, Lennox Head and Alstonville. Ideally the elected Council are wishing to see if there are any community groups interested in providing decorations or installing their own decorations in the major town centres.

Correspondence has been forwarded to all local community groups in respect to this proposal and if any groups are interested they should contact Council's Tourism Co-ordinator, Ms Caroline Klose on 6686 4444 or email carolinek@ballina.nsw.gov.au

Provided for the information of members.

7. Draft Community Strategic Plan

As part of the Division of Local Government's Integrated Planning and Reporting Framework all NSW councils are required to prepare a new or revised Community Strategic Plan (CSP) prior to 30 June 2013. Council's current CSP was adopted in 2010 and is based on an earlier Council document titled "*People, Place Prosperity: A framework for a more sustainable Ballina Shire 2025*", which was originally developed following extensive community consultation in 2007.

Council has now prepared, following further consultation, an updated CSP for the Ballina Shire. This draft document is available on the front page of our web site (www.ballina.nsw.gov.au), or through the following web address (www.ballina.nsw.gov.au/ourfuture) and hard copies are also accessible at the Council Administration Centre, and the Ballina, Lennox Head and Alstonville Libraries.

The purpose of a CSP is to provide a broad visionary document that outlines a community's priorities and aspirations for the future, based on a timeframe of at least ten years. A CSP should also establish a vision for the local government area. Council believes our draft document achieves these objectives and we are now seeking feedback from all stakeholders in the Ballina Shire, including community groups, government agencies and residents.

If you are interested in providing suggestions to improve the document it would be appreciated if you could respond to Council by **Monday 18 March 2013**. Feedback can be provided by writing to Council as per our mailing address, by emailing the following address: ourfuture@ballina.nsw.gov.au or by completing the on-line survey on our web site.

In reviewing the document a couple of key points are:

- a) The CSP has been prepared following consultation with a broad range of people. This includes 500 residents who were individually surveyed by an external research company, almost 100 young people from our Shire through a one day youth forum, feedback from many of the 300 staff employed by Council and other research undertaken by Council in recent years.
- b) You will find the aspirations outlined in the document are very broad. This is intentional as the CSP is an overarching document that is then supported by Council preparing a Delivery Program, which outlines the major actions that will be pursued by the elected Council during their four year term, and an Operational Plan, which is prepared annually to outline the works and services to be delivered each year. It is anticipated that both the draft Delivery Program for 2013/17 and the Operational Plan for 2013/14 will be exhibited in May this year for further public comment. These two documents may provide more specific information in respect to projects and services of interest to your organisation.

Provided for the information of members.

8. Code of Conduct

Council recently adopted the Division of Local Government's new Model Code of Conduct, a copy of which is available from our website http://www.ballina.nsw.gov.au/cp_themes/default/page.asp?p=DOC-QQX-54-48-10&c=175 (alphabetically under "C").

Members are reminded of the contents of the Code of Conduct and the standards of behaviour outlined in that Code.

Provided for the information of members.

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.

- Code of Conduct – closing date 6 December 2012
- Policy – Interaction between Councillors and Staff – closing date 6 December 2012
- Review of Fee Structure for Events on Public Land – closing date 6 December 2012
- 2013/2014 Proposed Flat Rock Tent Park Fees – closing date 18 January 2013
- Planning Proposal BSCPP 12/003 Southern Cross Industrial Estate Bulky Goods Precinct – closing date 22 February 2013
- Draft Policy (Review) Councillors Expenses & Facilities Policy – closing date 7 March 2013
- Draft Community Strategic Plan – closing date 18 March 2013

10. **Items raised by members of the Committee**

11. **General Business**

12. **Next Meeting and Commencement Time**

Meeting dates for 2013 are as follows. At the last meeting it was decided to review the commencement time for the Committee.

Thursday 9 May
Thursday 11 July
Thursday 12 September
Thursday 14 November