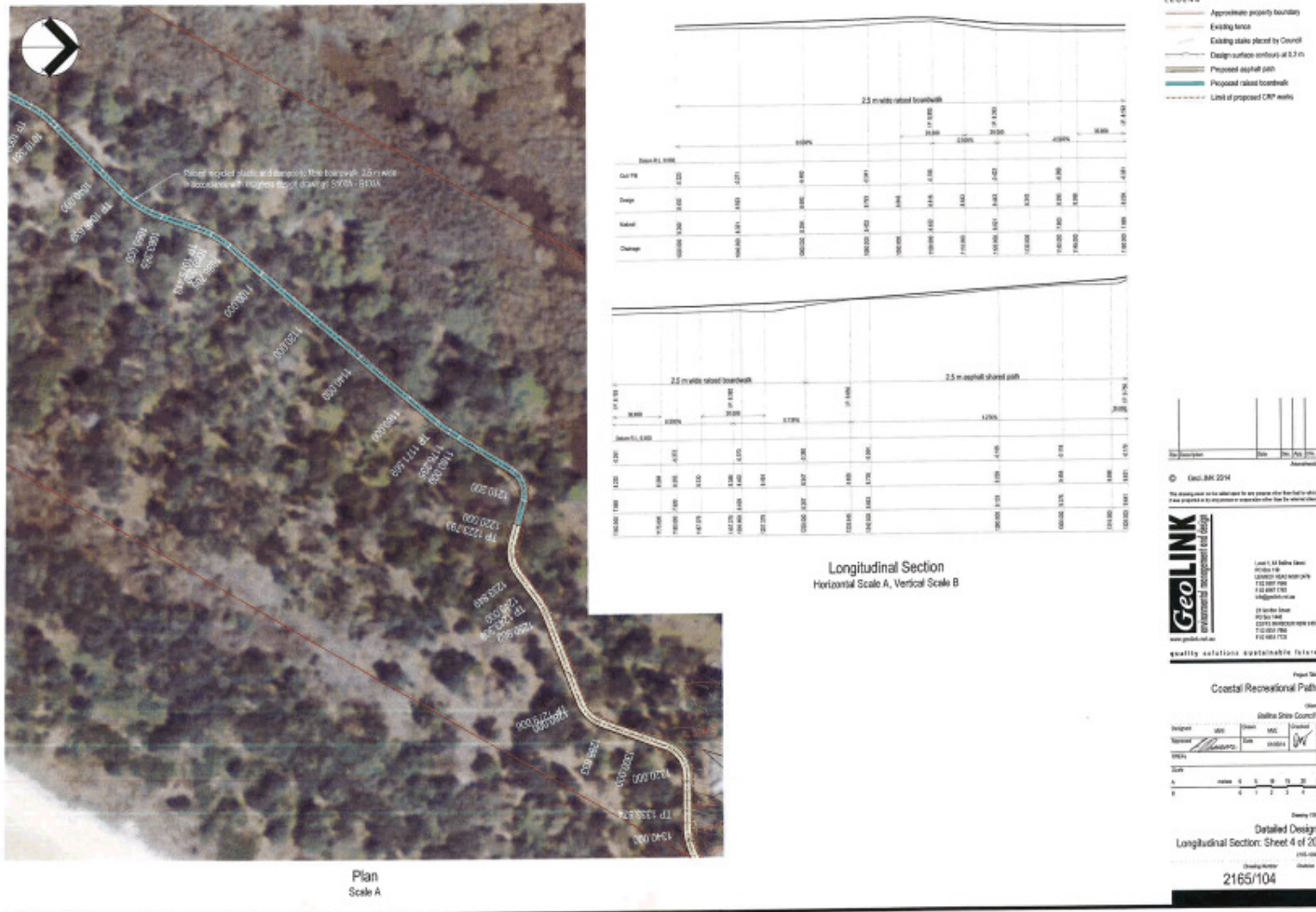


8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



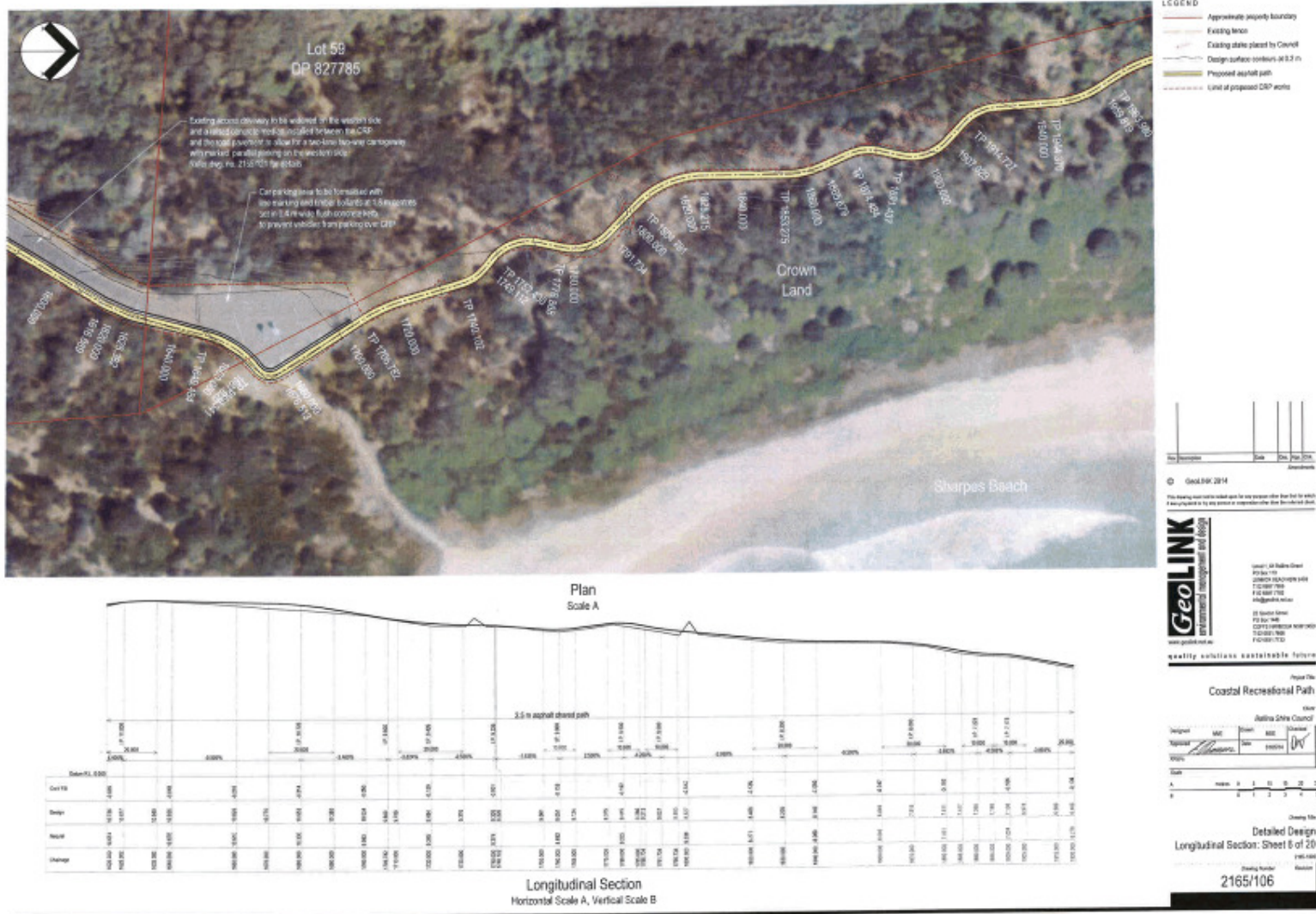
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



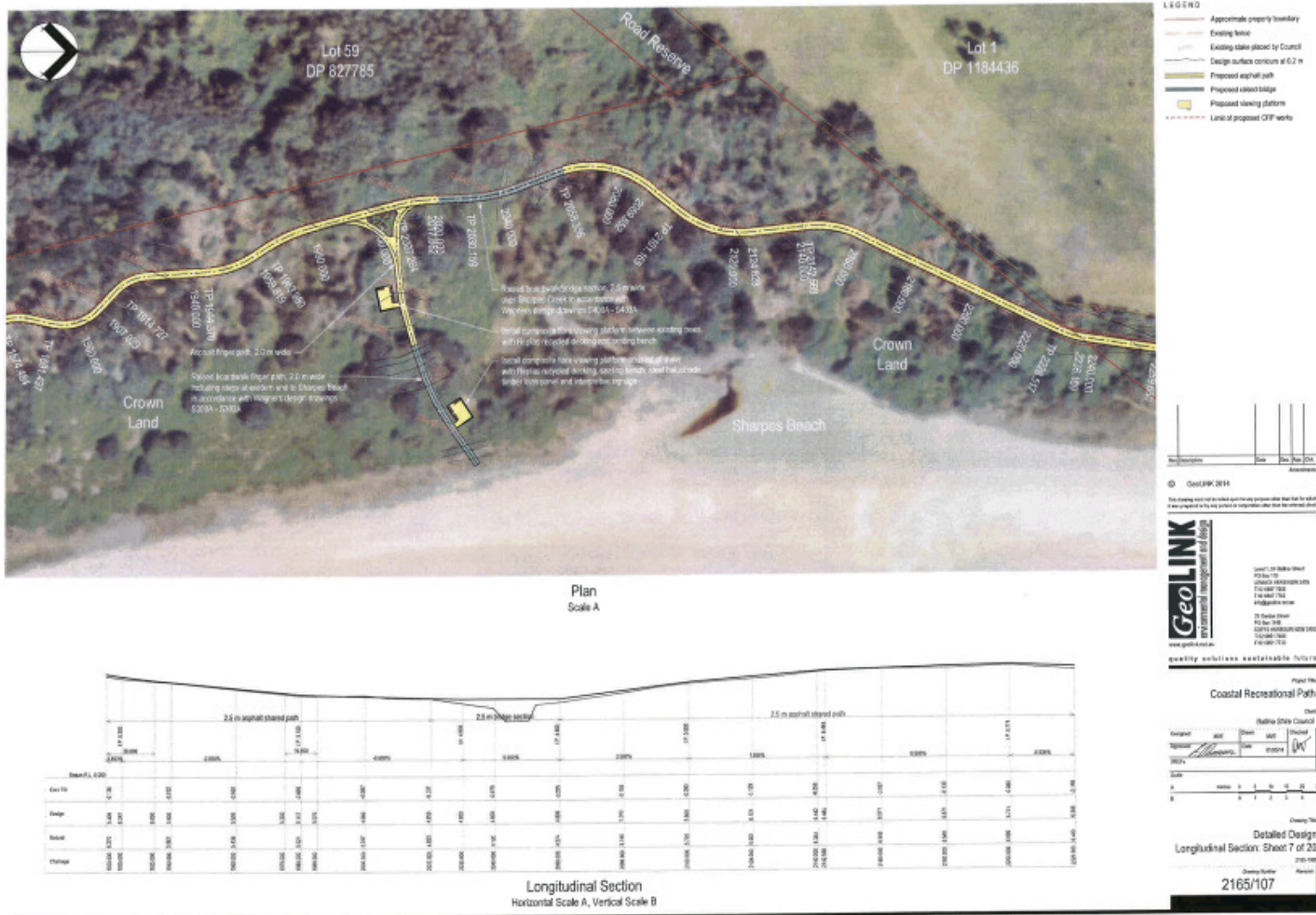
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



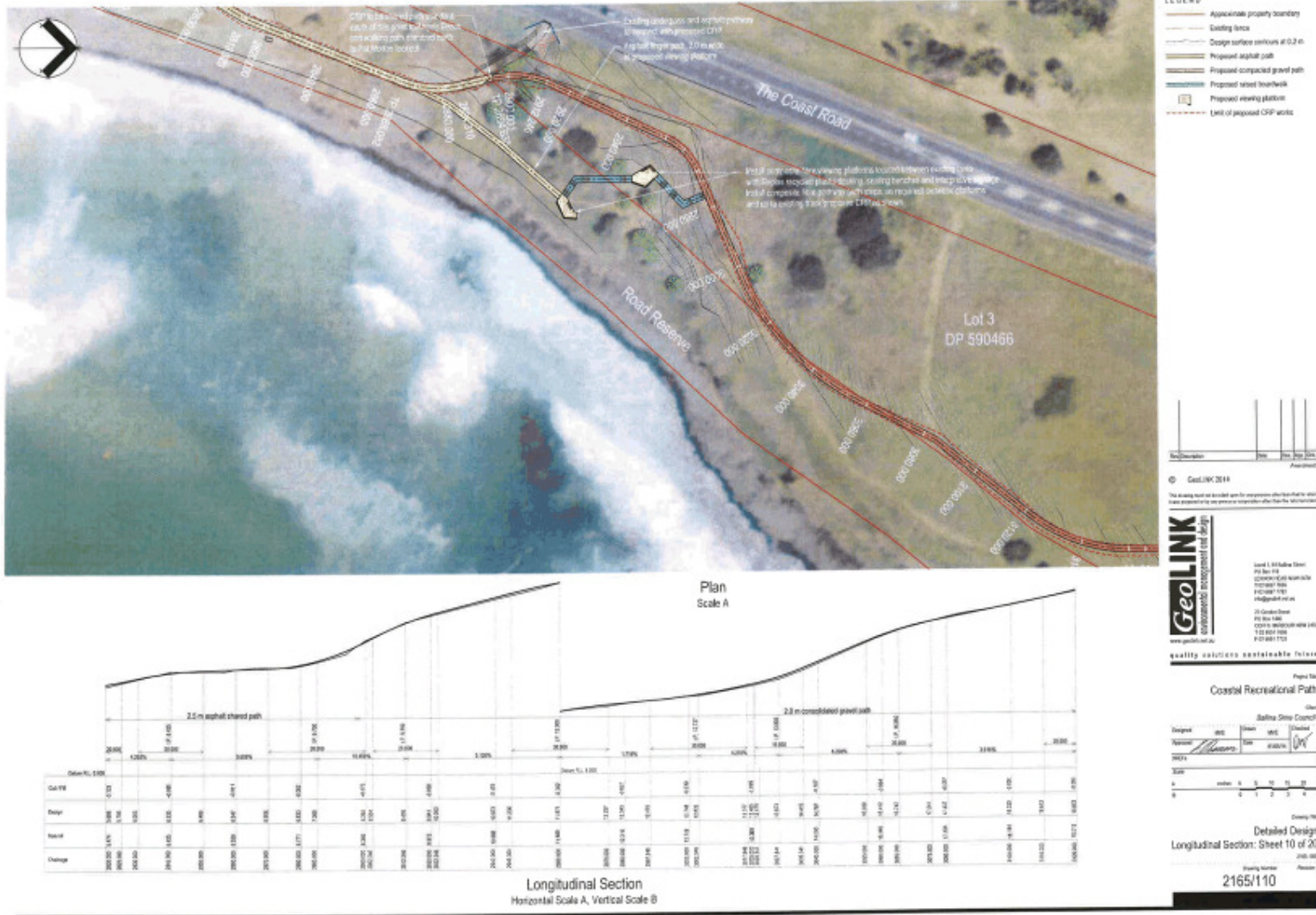
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



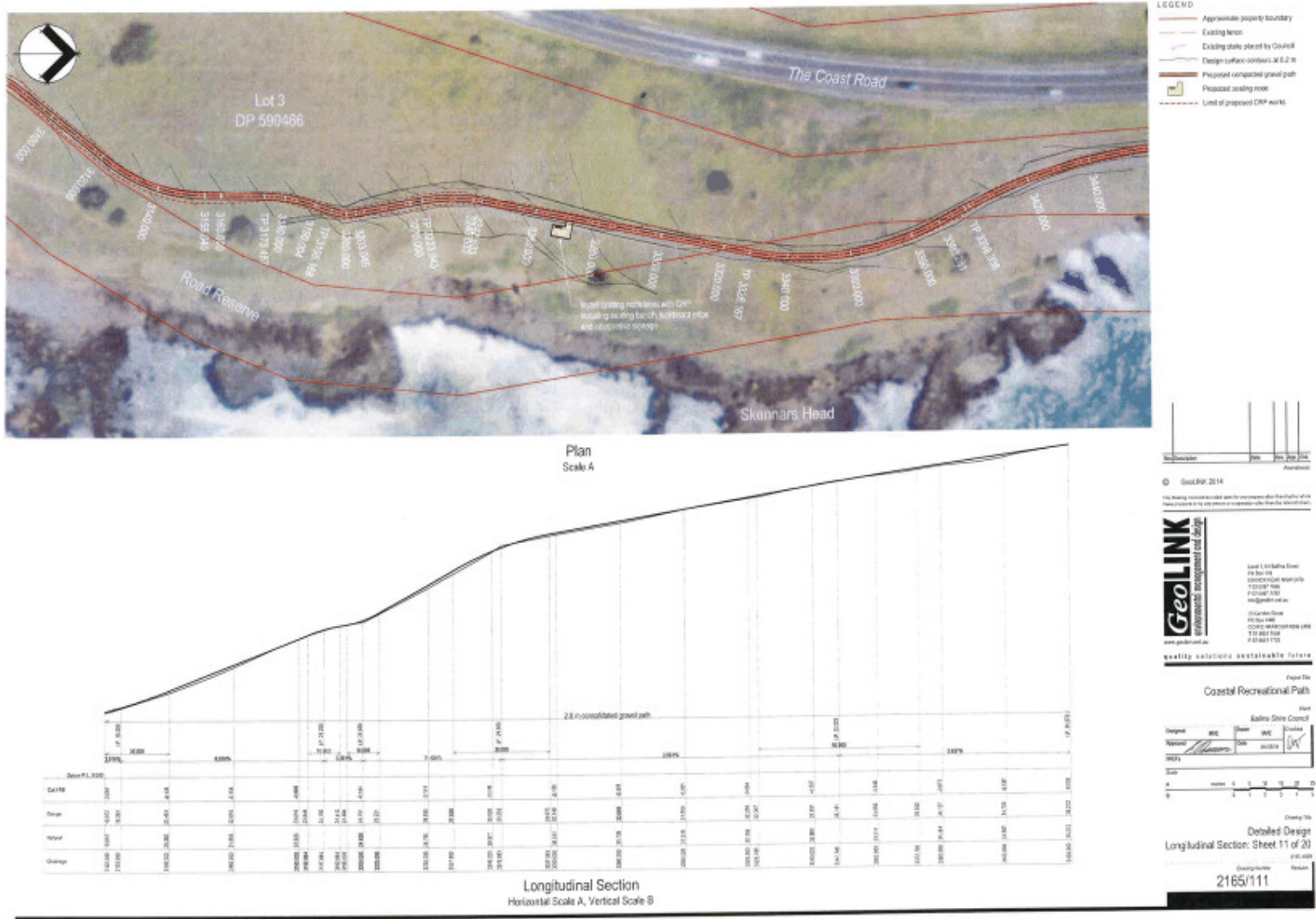
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



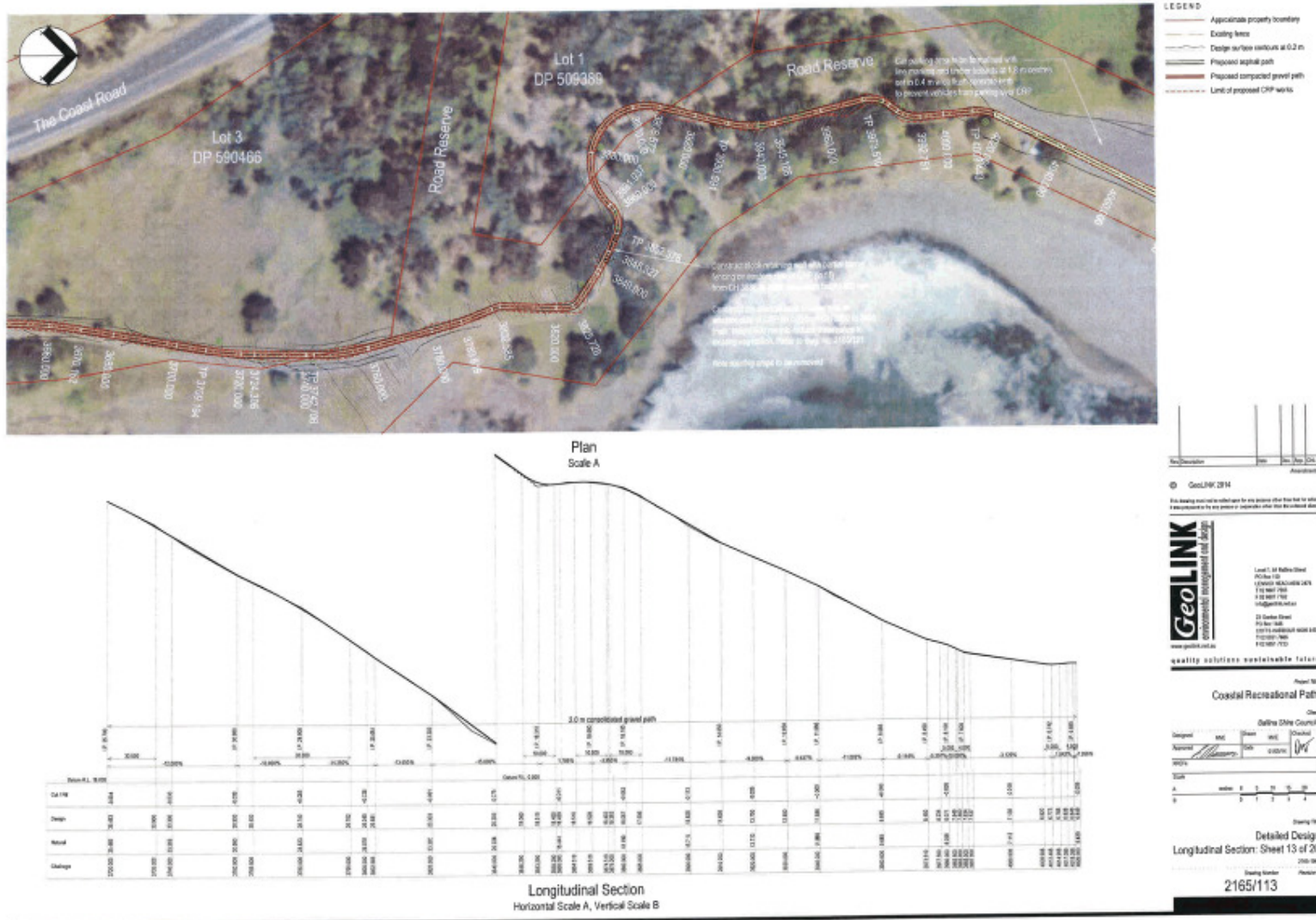
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



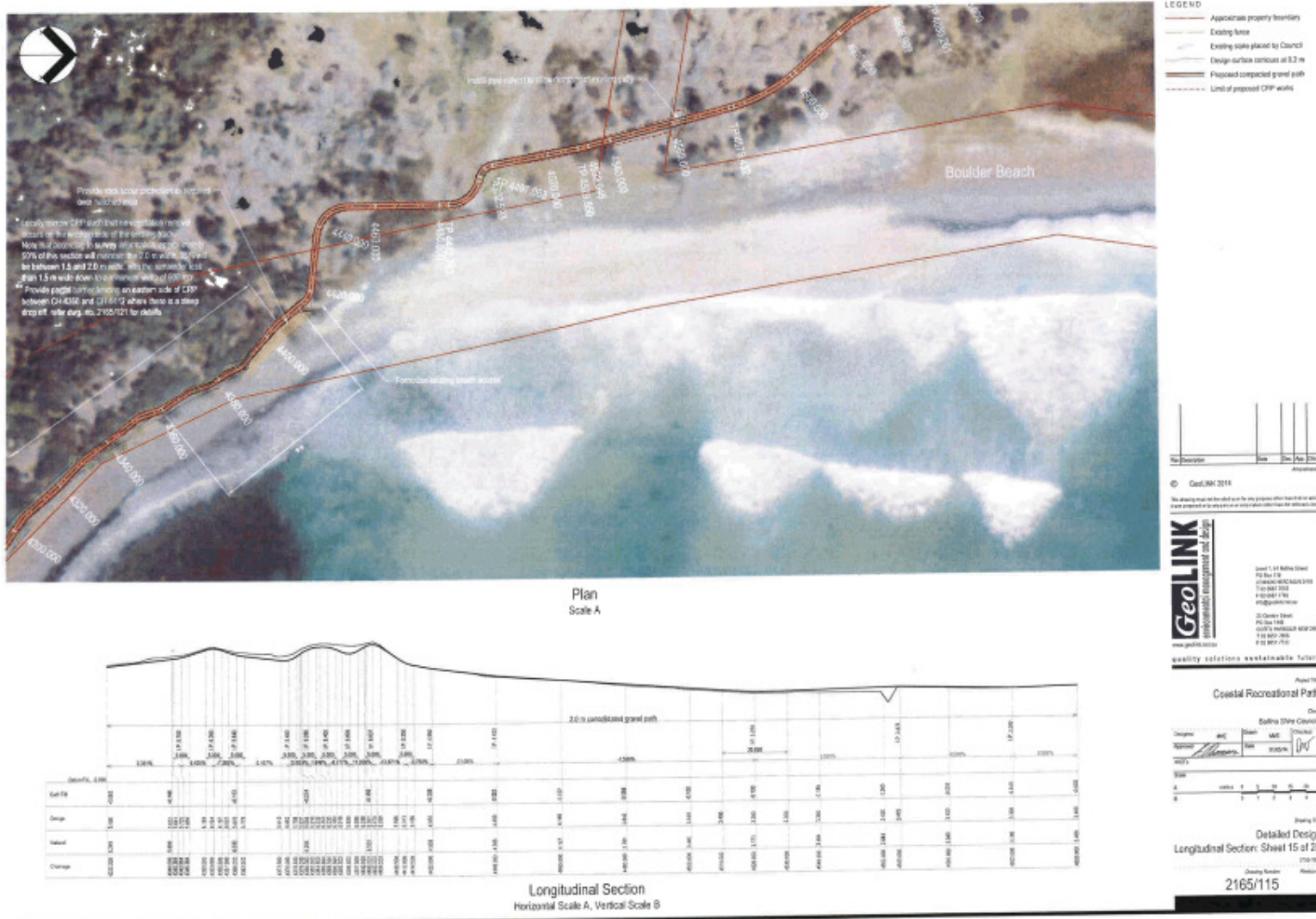
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



LEGEND

- Applicant property inventory
- Existing fence
- Existing stake planted by Council
- Design stake planted at 0.2 m
- Proposed compacted gravel path
- Limit of proposed CPP works

GeoLINK 2014

Specialist Geotechnical Engineering and Design

Project Title: Coastal Recreational Path

Client: Ballina Shire Council

Design: [Signature] Date: [Date] Check: [Signature]

Scale: 1:100

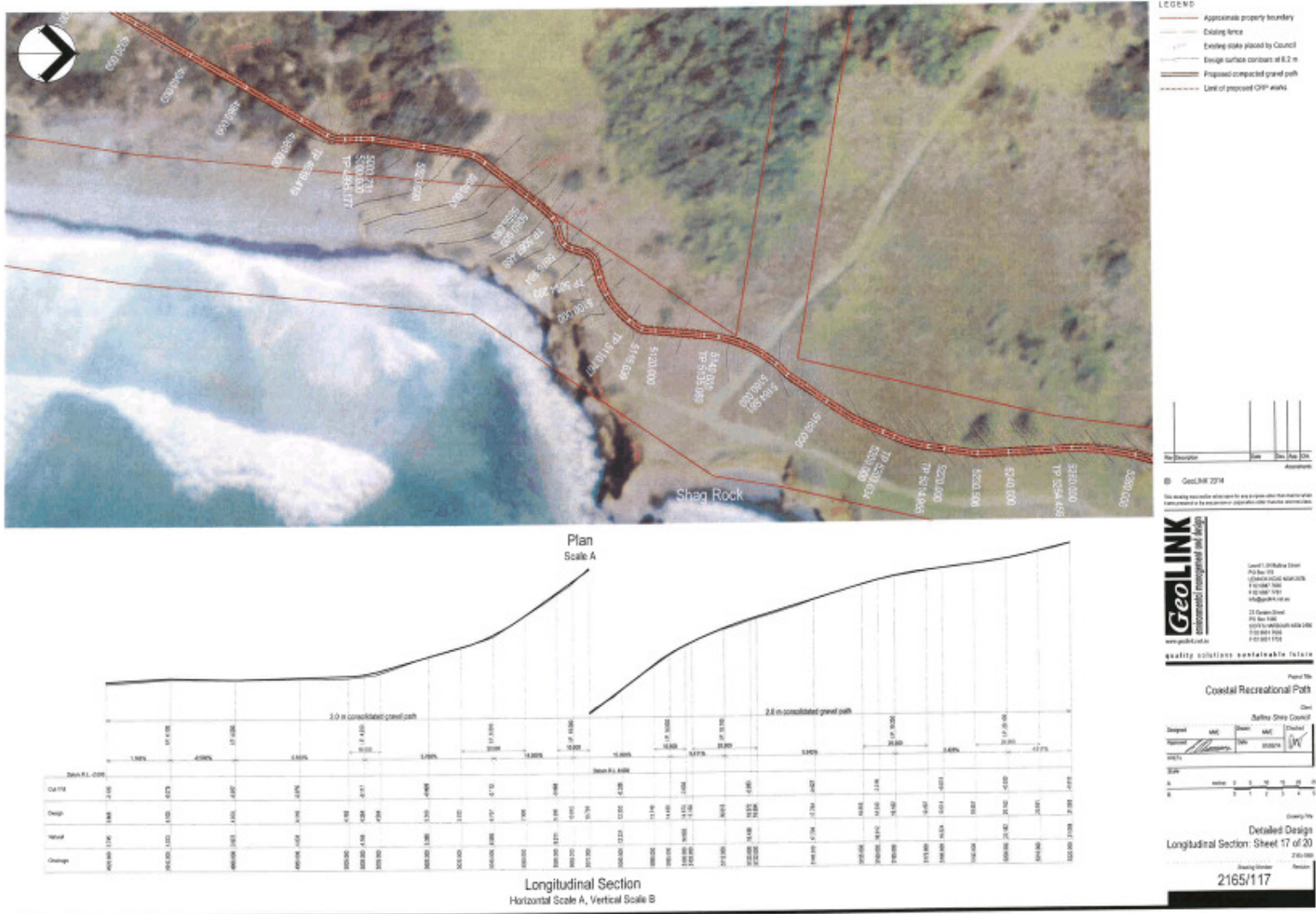
Sheeting Title: Detailed Design Longitudinal Section: Sheet 15 of 20

2165/115

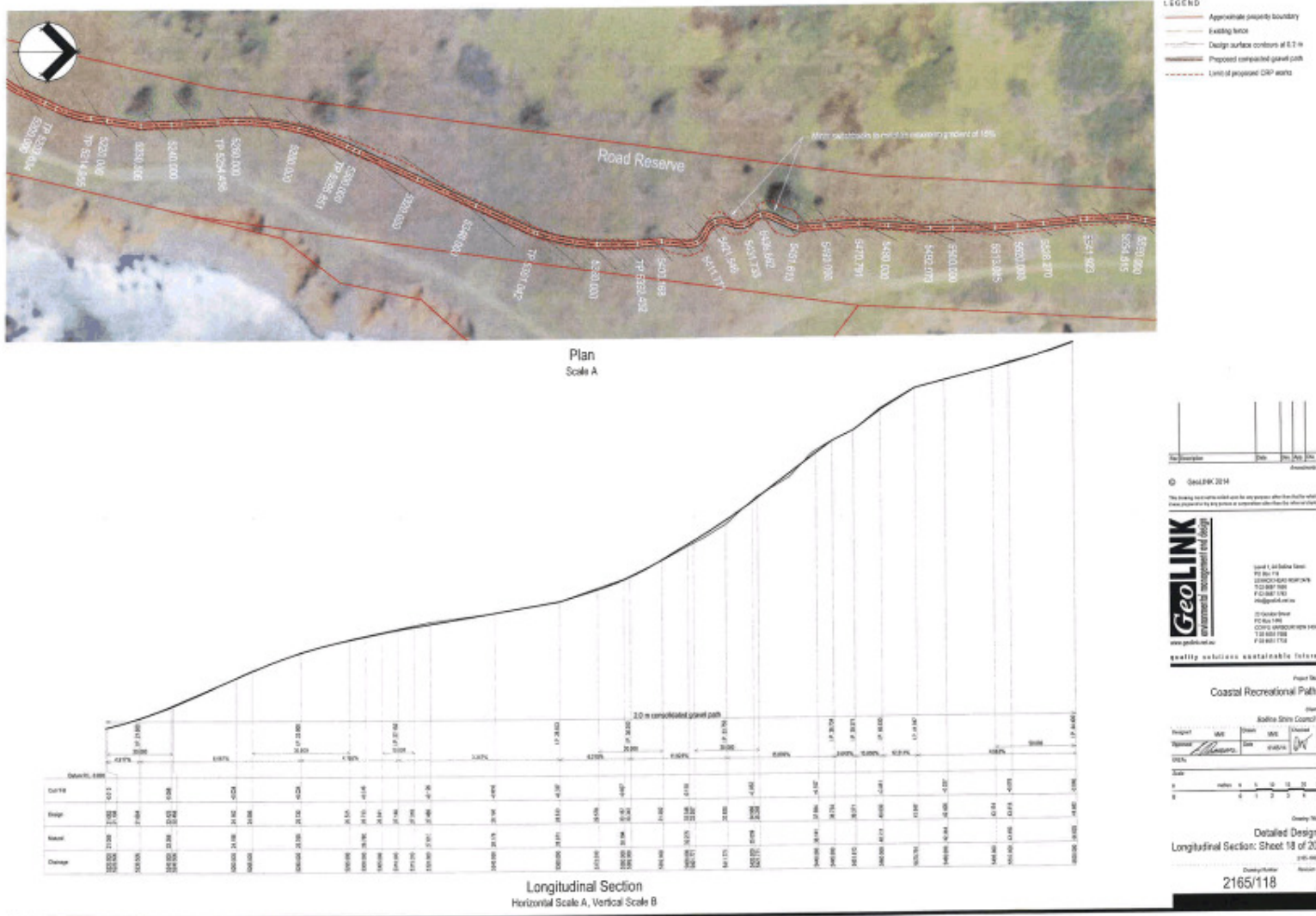
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



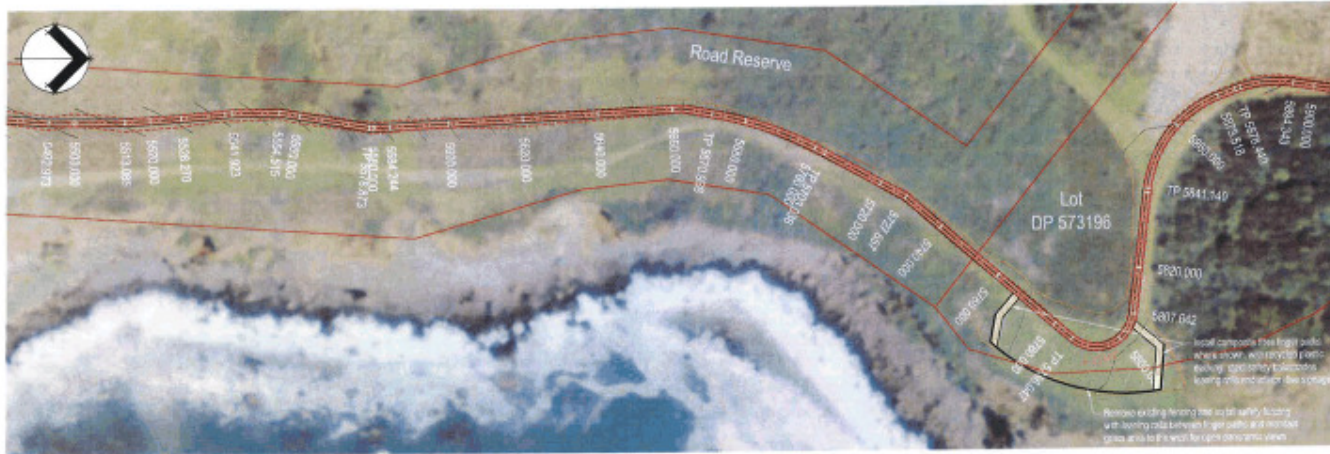
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



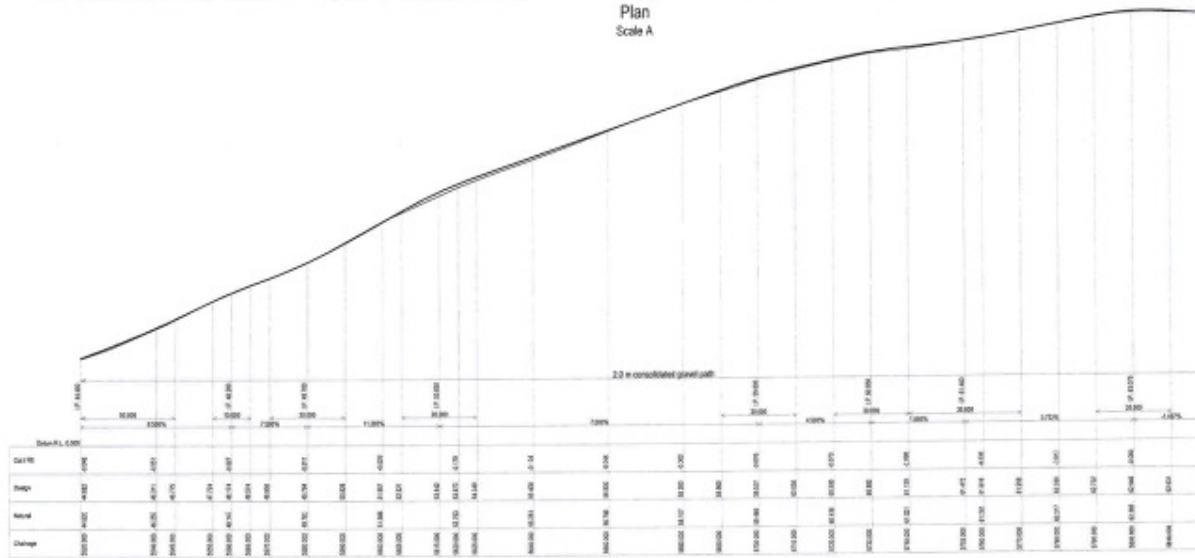
8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC



Plan Scale A



Longitudinal Section
Horizontal Scale A, Vertical Scale B

LEGEND

- Approximate property boundary
- Existing fence
- Existing stakes placed by Council
- Design surface contours at 0.2 m
- Proposed compacted gravel path
- Proposed viewing platforms
- Limit of proposed CRP work

© October 2014

This drawing and the information for any aspect other than that for which it was prepared is the intellectual property of GeoLINK and shall remain the property of GeoLINK.

GeoLINK
Environmental Management and Design

Level 1, 24 Ballina Street
Ballina NSW 2448
Ph: 02 6621 7100
Fax: 02 6621 7101
www.geolink.com.au

21 Number Street
P.O. Box 100
Coffs Harbour NSW 2450
Ph: 02 6621 7100
Fax: 02 6621 7101

quality solutions sustainable future

Project No:
Coastal Recreational Path

Client:
Ballina Shire Council

Designed by: [Signature] Date: [Date]
Approved by: [Signature] Date: [Date]
Checked by: [Signature] Date: [Date]

Scale:
A 1:1000
B 1:100

Drawing No:
**Detailed Design
Longitudinal Section: Sheet 19 of 20**

2165/119

14/10/2015



0 400



Coastal Recreational Path, 28 February 2014
2165-1024

Road Reserve Status

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Ecological Assessment
 Angels Beach to Lennox Head Coastal Recreational Path
 Ballina Shire Council

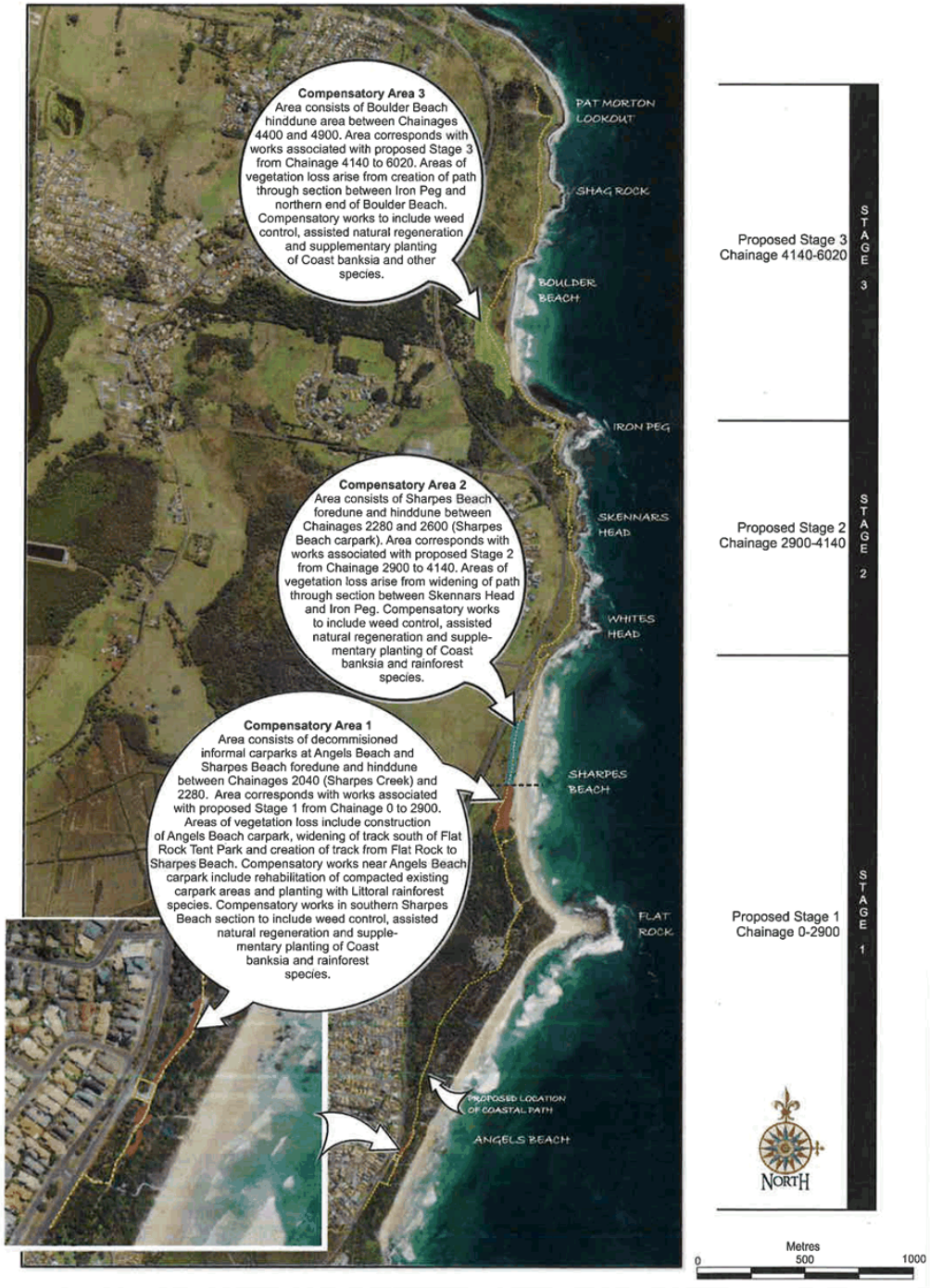


Figure 12
 AREAS IDENTIFIED AS SUITABLE FOR COMPENSATORY RESTORATION WORKS

Proposed Approval Mitigation Measures

GENERAL REQUIREMENTS

General

1. Works being carried out generally in accordance with the plans and associated documentation lodged by, or on behalf of, the applicant, including:
 - (a) Coastal Recreational Path Review of Environmental Factors Report No. DC13033 Dated 16 May 2013 (Prepared by NSW Public Works) incorporating various consultant reports;
 - (b) Updated Blackwood Ecological Services Report Project No. Final Version 3 Dated 18 December 2013 and addendum File No. 1131/Let3 Dated 15 May 2014;
 - (c) Updated Geolink Detailed Design Drawing No's. 2165/101 to 2165/133 (inclusive) Dated 1 May 2014;
 - (d) Wagners Composite Fibre Technologies Lennox to Ballina Coastal Walk Project No. BW703 Dated 2 December 2013;
 - (e) Redbelly Landscape/Viewing Platform Plans Project Ref 13009, Issue C Drawing No's 1,2,3,4,7 and 8;
 - (f) Blackwood Ecological Services Compensatory Restoration Work Area, File No. 1031 Dated 14 April 2014,

except as modified by any ameliorative measures required to be implemented by this approval. Where there is any inconsistency with the REF and the specific requirements listed within this approval, the specific requirements listed within this approval shall prevail.
2. A schedule of works including details on timing of all works and who is responsible for implementation of each phase of the works is to be provided to the Development and Environmental Health Group prior to construction commencing on any section or stage of the work.
3. Water flow regimes are to be maintained through the construction of the raised boardwalk sections of the path. This should include ensuring that potential barriers do not impede water flows through the Freshwater Wetlands on the Coastal Floodplain and the boardwalk is at a sufficient height to limit the accumulation of vegetation and debris under the structure.

PRIOR TO CONSTRUCTION WORK COMMENCING

The following requirements in this section of the approval must be complied with or addressed prior to commencement of construction works relating to the approved activity.

General

4. Prior to the commencement of work, a Project Manager is to be appointed, whose name and contact details are to be provided to the Development and Environmental Health Group. The Project Manager is to be responsible for ensuring the development is carried out in accordance with the required Construction Environmental Management Plan (CEMP) and all requirements of approval outlined

_____(initial)
Assessment Officer

within this notice. Prior to the work commencing the Project Manager is to inform the Development and Environmental Health Group in writing of the date of commencement of works on site.

5. A detailed Construction Environmental Management Plan (CEMP) prepared by or on behalf of the Project Manager is to be submitted to and approved by the Development and Environmental Health Group prior to commencement of works. The CEMP is to include (as a minimum) the measures identified within the REF, particularly the ecological amelioration and compensation measures outlined by Blackwood Ecological Services reports (Sections 5.3.1 to 5.3.6 inclusive) and the eight recommendations contained within the Converge Cultural Heritage Assessment, and the additional matters outlined within this approval.
6. A conditional permit under Section 200 of the Fisheries Management Act 1994 for reclamation works within the Freshwater Wetlands on Coastal Floodplain is to be obtained prior to commencement of works on the elevated boardwalk section of the path.
7. If Crown consent as landowner is not provided prior to commencement of construction, the Crown Road components on the path are to be either:
 - (a) transferred to Council's control; or
 - (b) formally closed and consolidated into the surrounding Coastal Reserve No. 1010068 prior to any works within the Crown Road Reserves.

NSW Office of Environment & Heritage
Aboriginal Cultural Heritage

8. The applicant must comply with Part 6 of the National Parks and Wildlife Act 1974 (NPW Act), prior to commencing any ground disturbance or development works and during development works.
9. A Cultural Heritage Induction Program must be developed for the induction of all personnel and contractors involved in the construction activities on site. Records are to be kept of which staff/contractors were inducted and when for the duration of the project. The program should be developed and implemented in collaboration with the representatives of the local Aboriginal community.

Flora and Fauna

10. No clearing of vegetation is to be undertaken on either side of the existing track between Chainages 4185.000 and 4405.000 (i.e. Boulder Beach) other than for minimal trimming and lopping as required for suitable height clearances. Detailed plans of path widths in relation to existing vegetation are to be provided between these Chainages prior to commencement of construction.
11. Species selection for landscaping components of the proposal should be based on local native species appropriate to the planting situation, planting stock of local provenance and should not include horticultural selections. Final landscaping specifications are to be provided and approved by Council's Environmental Scientist.
12. A Vegetation Management Plan (VMP) is to be prepared and implemented, addressing protection and management of native vegetation during and post construction. Noxious weeds are to be managed as specified for their weed classes.

_____(initial)
Assessment Officer

In areas of high conservation value vegetation and threatened species habitat, the VMP should address management of environmental weeds, enhancement of natural regeneration and plantings.

As part of the VMP, a compensation package is to be developed and implemented, accompanied by a management plan, aiming to replace native vegetation removed or modified in a ratio 10:1 for EEC or threatened species habitat and 3:1 for other native vegetation. The ratio should be applied on an area basis for wetland vegetation. Where compensatory actions other than planting are proposed, an appropriate relationship between the compensation to impact ratio should be demonstrated quantitatively. Alternatively, the use of offsetting principles developed by OEH, possibly to include application of the BioBanking calculator that underpins the NSW Government Biodiversity Banking and Offsets Scheme is recommended. Compensatory works are to take place at locations as specified in Blackwood Ecological Services Compensatory Restoration Work Area, File No. 1031 Dated 14 April 2014.

The VMP should be submitted to the Development and Environmental Health Group for approval prior to the commencement of construction.

Services

13. All services must be located prior to the commencement of construction.

Civil Works

14. Prior to the commencement of construction, engineering design drawings, for the proposed coastal recreational path, shall be submitted to and approved under Section 138 of the Roads Act 1993 and Section 68 of the Local Government Act 1993 for civil works. Details are to be in accordance with the current Northern Rivers Local Government Development Design and Construction Manuals and/or in accordance with other design requirements from Austroads and/or Roads & Maritime Services where specified.
15. A design audit of the proposed coastal recreational path alignment against relevant standards is to be submitted and approved by Council's Infrastructure Planning Manager prior to the issue of the Section 138 Certificate. The audit is to include a risk rating for any non conformance discovered during the audit process.
16. The design of all carparking and vehicular accesses are to be in accordance with the Australian Standard AS/NZS 2890.1:2004. Design plans are to be approved by Council's Infrastructure Manager prior to the issue of the Section 138 Certificate.
17. Where raised boardwalks are proposed within the road reserve, engineering design drawings and structural certification must be submitted to and approved prior to issue of the Section 138 Certificate.
18. Prior to the commencement of construction, the contractor must submit a completed copy of the "Notice of Commencement of Civil Development Work" form and a copy of their \$10M Public Liability Insurance Policy. Copies of the form are available from Council's website.
19. All traffic control shall be in accordance with the NSW Roads and Traffic Authority "Traffic Control at Works Sites Manual". A Traffic Control Plan must be prepared and

_____(initial)
Assessment Officer

submitted by a person holding a current "Design & inspect Traffic Control Plan" qualification. The traffic control plan must be certified and include the designers Name & Certificate Number. Details are to be submitted prior to the commencement of construction.

20. All viewing platforms readily capable of being accessed by wheelchairs are to be provided with ramps compliant with Australian Standard 1428 and not stairs. Details are to be submitted prior to the commencement of construction.
21. Roofing design details are to be provided for the following viewing platforms:
 - (a) one of the two viewing platforms at the southern end of Sharpes Beach (Chainage 2000.000); and
 - (b) the viewing platform contained within the wetland area behind Boulder Beach (Chainage 4750.000).

Acid Sulfate Soils

22. Testing of the construction area suspected of being affected by acid sulfate soils (Acid Sulfate Soil Planning Maps – Class 5) must be carried out prior to the commencement of construction. If detected an Acid Sulfate Soil Management Plan shall be prepared by a suitably qualified person in accordance with the Acid Sulfate Soil Assessment Guidelines (Acid Sulfate Soil Management Advisory Committee, 1998). The Management Plan shall be submitted and is to be approved prior to the commencement of works.

Signage

23. Details of all proposed signage along the Coastal Recreational Path and/or carparks (other than those required under relevant Australian Standards and Austroads) are to be provided to Council's Development and Environmental Health Group prior to the commencement of construction. Particular regard is to be given to aboriginal cultural heritage interpretive signage in consultation with Registered Stakeholders.

DURING CONSTRUCTION

The following requirements in this section of the approval must be complied with or addressed during the course of carrying out the construction works relating to the approved activity.

General

24. The Project Manager is to submit to the Development and Environmental Health Group a progress report on the works' compliance with the CEMP within one month from the commencement of the works detailing the progress of the construction work and compliance with the CEMP and all requirements of approval. These reports are required to be submitted for the construction life of the project (and any civil or compensatory/offset vegetation work maintenance period) and at each nominated phase of the project (refer to Mitigation Measure No. 2 of this approval).

Amenity

_____(initial)
Assessment Officer

25. Noise

The hours of operation for any noise generating construction activity (including the delivery of materials to and from the site) on the proposed works are to be limited to within the following times:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm

No noise generating construction activities are to take place on Sundays or public holidays

26. All work, including demolition, excavation and building work must comply with Australian Standard AS 2436:1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

Civil Works

27. All civil construction works shall be completed in accordance with the minimum requirements of the Northern Rivers Local Government Development Construction Manuals.

Traffic Control during Construction

28. All traffic control during construction shall be in accordance with the Roads and Traffic Authority - Traffic Control at Work Sites Manual and the certified traffic control plan. At least one person at the site must be qualified to "Apply Traffic Control Plans" (Yellow Card).

Air Quality

29. Dust shall be managed by water suppression, re-establishment of vegetation cover, stockpile management and halting works on site in extreme wind events. Further guidance can be sourced from 'No Dust No Fuss: Guidelines for controlling dust from construction sites' NSW EPA.

30. Suitable covering and protection is to be provided to all stockpiles to ensure that no material is removed from the site by wind, causing a nuisance to neighbouring properties.

Reinstatement of road verge

31. Any grass verge or footpath within the road reserve that is damaged as a result of development works on the site shall be immediately reinstated to a satisfactory and safe condition. This will involve the regrading of the disturbed area, turfing and top-dressing.

NSW Office of Environment & Heritage
Aboriginal Cultural Heritage

32. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts on the object(s). A suitably qualified archaeological specialist and the representatives of the local Aboriginal community must be contacted to determine the significance of the object(s) and to develop an appropriate management strategy. The management

_____(initial)
Assessment Officer

strategy must comply with the provisions of the National Parks and Wildlife Act, 1974. This may include avoiding impact, additional investigations and/or the submission of an Aboriginal Heritage Impact Permit application. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) managed by OEH and the management outcome for the site included in the information provided to the AHIMS.

33. If human remains are located following surface disturbance, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are to be contacted immediately. No action is to be undertaken until the NSW Police provide written notification to the proponent. If the skeletal remains are identified as Aboriginal, the proponent must contact OEH's Environmental Line on 131 555 and representatives of the local Aboriginal community. No works are to continue until OEH provides written notification to the proponent.

Soils and Water

34. The applicant shall ensure that any fill material imported to the site for the proposed development shall only be obtained from other fill sources with approved testing. The supplier of the fill material must certify at the completion of the construction of the development that the material was free of contaminants, being natural or otherwise.
35. Soil erosion and sediment control measures shall be designed, installed and maintained in accordance with Managing Urban Stormwater – Soils and Construction, LANDCOM, March 2004. All disturbed areas shall be immediately stabilised and revegetated on completion of earthworks.

Dewatering

36. If dewatering is required a management plan for all dewatering activities on site shall be submitted to and be approved prior to the release of extracted water. The plan is to give consideration to the acid sulfate soils issues on site and the impact this may have on groundwater and dewatering activities proposed. Prior to the release of any water extracted during dewatering operations the test results and interpretation of results are to be submitted to and approved.

Dewatering activities may also require a license issued by the NSW Office of Water. If required a copy of the license is to be provided prior to extraction taking place.

Waste

37. All demolition, construction or the like waste is to be transported and disposed of to an approved waste facility. If alternative disposal methods are sought, the prior written approval of the Development and Environmental Health Group must be obtained.

Lighting

38. All external lighting to be installed and operated on site shall comply with the AS 4282:1997 "Control of the obtrusive effects of outdoor lighting".

Flora and Fauna

_____(initial)
Assessment Officer

39. Environmental safeguards outlined within the Blackwood Ecological Services report are to be implemented during and post construction to protect the adjacent environs from adverse environmental impact.
40. Measures are to be implemented to protect all native vegetation which is to be retained during the construction and operational (maintenance) phases of the project.
41. Where the coastal recreational path is proposed adjacent to high conservation value vegetation, particularly EEC Littoral Rainforest and Coast Cypress EEC, vegetation removal and trimming should be strictly limited to the extent documented by Blackwood Ecological Services reports.
42. Viewing platforms at Sharpes Beach north (Chainage 2940) and Boulder Beach wetland (Chainage 4750) are to be located to avoid any impact on Pandanus and Coastal Banksias respectively.

PRIOR TO OCCUPATION OR USE

Unless otherwise stated all development and works referred to in other sections of this approval are to be completed together with the following prior to occupation or use of the approved activity.

43. All civil works approved under Section 138 of the Roads Act 1993 and Section 68 of the Local Government Act 1993, are to be completed to the satisfaction of Council's Infrastructure Planning Manager prior to use. All works are to be completed in accordance with the Northern Rivers Local Government Development Design and Construction Manuals (as current at the time of construction works commencing).
44. Prior to use, the applicant shall submit a hard copy of a 'Works-as-Executed' (WAE) drawing at scale of 1:500 in addition to a computer disk copy of the WAE information in AutoCAD and PDF format. The applicant shall be deemed to have indemnified all persons using such drawings against any claim or action in respect of breach of copyright.
45. Prior to the commencement of use, certification must be provided that all raised boardwalk structures have been provided in accordance with the approved Construction Plan lodged with the Section 138 application. This certification is to be provided by a suitably qualified Engineer familiar with all aspects of the project.
46. Additional signage is to be erected immediately prior to steep gradients of the pathway to provide suitable warning and alternative routes (where possible) for people with mobility issues and/or physical conditions.
47. Additional signage is to be erected along the pathway demonstrating that dogs must be leashed at all times and highlighting the presence of nesting or roosting shorebirds at certain locations.

_____(initial)
Assessment Officer

NSW POLICE

Richmond Local Area Command
Senior Constable Laleynya Ryan
Crime Prevention Officer



5 Zadoc Street, Lismore NSW 2480

Telephone: - 02-66260569. E/N 65599.

Email: ryan1lal@police.nsw.gov.au

The General Manager
Ballina Shire Council
Tamar Street,
Lismore NSW 2478.

Attention: Mr Anthony Peters

**Proposal: Construction of a Coastal Recreational path from East Ballina to
Pat Morton Lookout, Lennox Headed
Development Application No 2013/0009
2013/194
2013/195**

Assessment of Development Application Using Crime Prevention Through
Environmental Design (CPTED) Principals. Section 79C Planning and
Assessment Act.

Recommendations;

- Angels Beach Car Park needs to be designed like the Shelly Beach Car Park; a row of two parking bays that is open to The Coast Road. There needs to be a clear unobstructed view of the entire car park from The Coast Road. The current Angels Beach Car Park is a repeat location for steal from motor vehicles due to its isolation and lack of casual surveillance. The landscape between the car park and road needs to be cleared and flattened in order to achieve this. If people are going to park and leave their vehicles for an extended period it needs to be in an area that is safe and secure to do so.

- At the northern end of the Angels Beach car park, the access for emergency vehicles and fishermen (dusk till dawn) needs to be blocked to illegitimate users. This can be achieved with a folding bollard that can be unlocked with a key that is issued by council. These bollards are already in place further north along the track.
- Location markers to be placed along the shared footpath between the beach access points.
- Maintain the width of the path along the bends of the track to eliminate blind corners. This will reduce concealment spots and improve the visibility for bike riders and pedestrians.
- The shared footpath to go around the Flat Rock Tent Park and not through it. This will aid access control and reduce excuse making opportunities for thieves or trespassers.
- Police recommend the path continue north from the Tent Park, past the public toilets and along the existing path.
- Police strongly oppose the shared path travel along the Coast Road, Headlands Drive, Skennards Head Road or North Creek Road at any point ;
 - The shared path should be kept away from housing estates at all costs. A shared path through a residential area provides offenders with excuse making opportunities and also provides them with numerous escape routes. This has proved a problem in a nearby town where a bush walking track was built behind an existing housing estate. Since this track was built, the location has been used by offenders to break into houses, motor vehicles and dump stolen cars in the surrounding streets. They use the walking track to escape from police and evade detection. It also provides them with excuse making opportunities for being in the area in the first place.
- From Boulders Beach to Pat Morton Lookout the walkway should continue along the already existing mowed path rather than along The Coast Road to ensure the safety of the users of the path.

Disclaimer:

NSW Police has a vital interest in ensuring the safety of members of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property.

- Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.
- The evaluation/report is a confidential document and is for use by the person/organisation referred to on page one.
- The contents of this evaluation/report are not to be copied or circulated otherwise than for the purposes of the person/organisation referred to at the start of the Assessment.

NSW Police hopes that by using the recommendations contained within this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.



Laleynya Ryan
Senior Constable
Crime Prevention Officer
26 August 2013



Department of Primary Industries

Our Ref: OUT13/17722

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

RECORDS
SCANNED
17 JUL 2013
Doc No.....
Batch No.....

15 July 2013

Attention: Mr Anthony Peters

Dear Mr Peters

Re: Part V Application No. PF 2013/0009 coastal recreation path within Ballina LGA

Thank you for your letter of 26 June 2013 requesting that Fisheries NSW, a division within the Department of Primary Industries provide comment on the above mentioned Part V application.

Fisheries NSW acknowledges and supports the overarching proposal to construct a coastal recreation path in Ballina Shire Council and notes that the works triggers several different approvals within the EP&A Act 1979. This letter responds to those aspects relating to the Part V assessment. I have attached the letter from Fisheries NSW to Ballina Shire Council regarding the designated referral DA2013/195.

Fisheries NSW is responsible for ensuring that fish stocks are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Aquatic Habitat Protection Unit assesses activities under Part 5 of the *Environmental Planning and Assessment Act 1979* in accordance with the objectives of the *Fisheries Management Act 1994*, the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, and the *Policy and Guidelines for Fish Habitat Conservation and Management (2013 Update)*. In addition Fisheries NSW is responsible for ensuring the sustainable management of commercial, quality recreational fishing and viable aquaculture within NSW.

Fisheries NSW considers that the proposed mitigation measures discussed within *Report DC13033* (p66) and the *Blackwood Ecological Services Review of Environmental Factors* (p203) for the management of soils and disturbed areas in the Freshwater Wetland at chainage 4660 - 4870 should in order to best protect the wetland habitat values, involve work methods that minimise the footprint of the works and where disturbance is unavoidable employ active regeneration of appropriate native endemic wetland plant species.



Department of
Primary Industries

It is also proposed that the current boardwalk design suggested within the application for the areas behind Flat Rock and Boulders be reviewed and modified so as to minimise the impact on waterflow. Fisheries NSW suggest a raise boardwalk design so as to decrease the impact on hydrology and fish habitat within the wetland. The elevated boardwalk structure should be designed at a height above natural water level that limits accumulation of vegetation and debris under the structure.

The works within the Boulders Wetland trigger section 200 of the *Fisheries Management Act* 1994 and necessitate that Ballina Shire Council obtain a conditional permit under that section before commencing the works. Another part of the coastal pathway (Shared Path – Skennars Head Road) will also trigger the need to obtain a section 200 permit. If the timing of these works are generally concurrent, ie within 12 – 24 months of each other Fisheries NSW recommends Council apply for a single permit that covers both sections.

If you have any further enquiries please contact Patrick Dwyer Fisheries Conservation Manager (North) on (02) 6626 1397.

Yours sincerely

A handwritten signature in black ink, appearing to read 'MDL', written over a light blue horizontal line.

Milan Duwenhogger-Lange
A/Fisheries Conservation Manager (North)



Office of
Environment
& Heritage

Your reference DA2013/194; DA2013/195; PF2013/0009
Our reference :: DOC13/31752; DOC 13/31753
Contact : Krister Waern, Ph: (02) 6640 2503

The General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

RECORDS
SCANNED

26 AUG 2013

Doc No:
Batch No:

Attention: Mr Anthony Peters

Dear Mr Hickey

**RE: Ballina to Lennox Head Shared Path and Ballina to Lennox Head
Coastal Recreational Path, Ballina LGA**

I refer to your letters dated 25 and 26 June 2013 and an updated letter of 18 July 2013, relating to the above proposals and providing the NSW Office of Environment and Heritage (OEH) with an opportunity to make a submission in writing. The proposals were referred to OEH on the basis that the land affected is in part mapped as State Environmental Planning Policy (SEPP) No. 14 Coastal Wetland and SEPP No. 26 Littoral Rainforest in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

OEH understands that these projects propose a new series of recreation paths to be constructed between Ballina and Lennox Head. The projects have been refined into two separate routes being (1) a Coastal Walk (known as the Coastal Recreational Path) and (2) a Shared Path closely aligning to The Coast Road.

OEH has reviewed the documentation and provides the following comments in relation to Council's environmental assessment of the proposal. These comments relate to SEPP 14 and SEPP 26 and broader biodiversity matters.

Biodiversity Offsets

OEH notes that vegetation removal will occur within the SEPP 14 area and the SEPP26 100m buffer area. The Environmental Impact Assessment (July 2013) for the Coast Walk and the Environmental Impact Statement (May 2013) for the shared pathway detail the direct and indirect impacts of the proposal on the SEPP 14 area, SEPP 26 area, Endangered Ecological Communities (EEC's), threatened species and their habitats. OEH acknowledges that the project has considered avoiding and mitigating impacts, however the proposal should also detail a comprehensive offset strategy to address all of the impacts. Although the direct impacts of the proposal are easily quantified for the 2-2.5 metre wide path, Ballina Shire Council has indicated that the project would require a six metre wide area of disturbance. All indirect impacts in relation to this area should also be incorporated into an appropriate offset.

OEH recommends that Council considers the offsetting principles developed by OEH in formulating an appropriate offset strategy. These principles provide a useful framework when considering biodiversity impacts and appropriate offset requirements. In order to determine an appropriate offset type and quantum for the proposal, Council may consider using the BioBanking Credit Calculator that underpins the NSW Government Biodiversity Banking and Offsets Scheme (or 'BioBanking'). This scheme helps address the

Locked Bag 914, Coffs Harbour NSW 2450
Federation House, Level 7, 24 Moonee Street
Coffs Harbour NSW
Tel: (02) 6651 5946 Fax: (02) 6651 6187
ABN 30 841 387 271
www.environment.nsw.gov.au

loss of biodiversity values, including threatened species. BioBanking is a market-based scheme that provides a streamlined biodiversity assessment process for development, a rigorous and credible offsetting scheme as well as an opportunity for rural landowners to generate income by managing land for conservation. Further information on OEH's offsetting principles and BioBanking can be obtained from the OEH website at the following links: <http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm>
<http://www.environment.nsw.gov.au/biobanking/>

General Comments

OEH recommends that prior to determining the application Council is satisfied that:

- The proposal is consistent with the provisions of the *Protection of the Environment Operations Act 1997*.
- The proposal is not likely to cause impacts on areas of native vegetation, with special reference to threatened or regionally significant flora and fauna species, populations and ecological communities.
- The proposed development is consistent with the threatened species provisions of the *Environment Planning and Assessment Act 1979*, State Environmental Planning Policy (SEPP) 44 - Koala Habitat Protection, SEPP 71 - Coastal Protection and the *Native Vegetation Act 2003*.
- Potential direct and indirect impacts on OEH/National Parks and Wildlife Service estate, wilderness areas, wild rivers and recognised areas of high conservation value have been adequately considered.
- Any rezoning or development is in accordance with the NSW Government Flood Prone Land Policy which aims to reduce the impact of flooding and flood liability on individual owners and occupiers, and reduce private and public losses resulting from flooding. These objectives are set out in the NSW Government Floodplain Development Manual.
- The proposal is consistent with:
 - i) The NSW Coastal Policy 1987, which has as its central focus the ecologically sustainable development of the NSW coast;
 - ii) The Estuary Management Policy, with the general goal to achieve an integrated, balanced, responsible and ecologically sustainable use of the State's estuaries, which form a key component of coastal catchments;
 - iii) The Coastline Hazard Policy 1988, with the primary objective to reduce the impact of coastal hazards on individual owners and occupiers, and to reduce private and public losses resulting from natural coastal forces; and
 - iv) Relevant Coastal Zone and /or Estuary Management Plans.

(Note: Where no plans are in place setback from coastal erosion escarpments should be established in consultation with EPA).


Your attention is also drawn to the Commonwealth legislation, the *Environment Protection and Biodiversity Conservation Act 1999*. If the proposal affects any species requiring consideration under this legislation then approval may be required from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities.

With respect to Aboriginal cultural heritage, OEH has reviewed the Cultural Heritage Assessment report and detailed OEH comments were provided in our letter sent to you on 16 August 2013.

OEH recommends that the above comments be considered by Council and any changes incorporated into a revised version of the proposal before Council seeks concurrence from the Department of Planning and Infrastructure for the parts of the proposal that impact the SEPP14 and SEPP 26 areas. OEH anticipates that it will be given an opportunity by the Department of Planning and Infrastructure to review Council's determination and any proposed conditions at that stage and make further representations if required.

Should there be any other matters, or should Council be in possession of information that suggests the interests of OEH may be further affected by the proposal, please contact Mr Krister Waern, Senior Operations Officer, on (02) 6640 2503.

Yours sincerely

 22 August 2013

DIMITRI YOUNG
Senior Team Leader Planning - North East
Regional Operations

Cc
Mr Luke Blandford
Department of Planning and Infrastructure
Locked Bag 9022
Grafton NSW 2460



**Office of
Environment
& Heritage**

Your reference: PF2013/0009
Our reference: DOC 13/31753
Contact: Krister Waern, Ph: (02) 6640 2503

The General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

RECORDS
SCANNED

19 AUG 2013

Doc No.....

Batch No.....

Attention: Mr Anthony Peters – Development and Environmental Group

Dear Mr Hickey

**Re: Part V Application – General Referral
Shared Path and Coastal Recreation Path from East Ballina to Lennox Head - Ballina LGA**

Thank you for your letter of 25 June 2013 requesting comments from the NSW Office of Environment and Heritage (OEH) on the Review of Environmental Factors for the above proposal. I apologise for the delay in responding.

OEH understands that this project proposes a new series of recreation paths to be constructed between Ballina and Lennox Head. The project has been refined into two separate routes being (1) a Coastal Walk (known as the Coastal Recreational Path) and (2) a Shared Path closely aligning to The Coast Road. Furthermore, the project is being assessed under both Parts 4 and 5 of the *Environment Planning and Assessment Act 1979* (EP&A Act).

The documentation has been reviewed and OEH provides the following comments in relation to Council's environmental assessment of the proposal. It is recommended prior to determining the application that Council is satisfied that:

- The proposal is consistent with the provisions of the *Protection of the Environment Operations Act 1997*.
- The proposal is not likely to cause impacts on areas of native vegetation, with special reference to threatened or regionally significant flora and fauna species, populations and ecological communities.
- The proposed development is consistent with the threatened species provisions of the EP&A Act, State Environmental Planning Policy (SEPP) 44 - Koala Habitat Protection, SEPP 71 - Coastal Protection and the *Native Vegetation Act 2003*.
- Potential direct and indirect impacts on OEH/National Parks and Wildlife Service estate, wilderness areas, wild rivers and recognised areas of high conservation value have been adequately considered.

Locked Bag 914, Coffs Harbour NSW 2450
Federation House, Level 7, 24 Moonee Street
Coffs Harbour NSW
Tel: (02) 6651 5946 Fax: (02) 6651 6187
ABN 30 841 387 271
www.environment.nsw.gov.au

- Any rezoning or development is in accordance with the NSW Government Flood Prone Land Policy which aims to reduce the impact of flooding and flood liability on individual owners and occupiers, and reduce private and public losses resulting from flooding. These objectives are set out in the NSW Government Floodplain Development Manual.
- The proposal is consistent with:
 - i) The NSW Coastal Policy 1987, which has as its central focus the ecologically sustainable development of the NSW coast;
 - ii) The Estuary Management Policy, with the general goal to achieve an integrated, balanced, responsible and ecologically sustainable use of the State's estuaries, which form a key component of coastal catchments;
 - iii) The Coastline Hazard Policy 1988, with the primary objective to reduce the impact of coastal hazards on individual owners and occupiers, and to reduce private and public losses resulting from natural coastal forces; and
 - iv) Relevant Coastal Zone and /or Estuary Management Plans.


(Note: Where no plans are in place setback from coastal erosion escarpments should be established in consultation with the Environment Protection Authority).

Council's attention is also drawn to the Australian Government's legislation, the *Environment Protection and Biodiversity Conservation Act 1999*. If the proposal affects any species requiring consideration under this legislation then approval may be required from the Department of Sustainability, Environment, Water, Population and Communities.

With respect to Aboriginal cultural heritage, OEH has reviewed the Cultural Heritage Assessment report and detailed OEH comments are provided in Attachment 1. On the basis of this review, OEH recommends that the conditions provided in Attachment 2 be included in any consent under Part 4 of the EP&A Act or determination under Part 5 of the EP&A Act for the proposal.

Should you require further information or clarification, or should Council be in possession of information that suggests that OEH's statutory interests may be affected, please contact Mr Krister Waern on (02) 6640 2503.

Yours sincerely

 16 August 2013

DIMITRI YOUNG
Senior Team Leader Planning - North East
Regional Operations

**Attachment 1: OEH Aboriginal Cultural Heritage Comments
Proposed Ballina to Lennox Head Shared Path and Coastal Recreational Path, Ballina LGA**

OEH notes that the proposals were lodged with Council under the provisions of both Part 4 and Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Importantly, proposals being assessed in accordance with Part 4 and Part 5 of the EP&A Act do not absolve the applicant of their obligations to manage Aboriginal cultural heritage under the *National Parks and Wildlife Act 1974* (NPW Act).

OEH has accordingly reviewed the documentation provided in support of the proposals, including the '*Ballina to Lennox Head Pathways – Cultural Heritage Assessment*' (dated 18 March 2013) ('the CHA') to assess the potential impacts of the proposed development on Aboriginal cultural heritage. The following advice is provided to Council following this review:

Aboriginal cultural heritage values

OEH acknowledges the significance of the local environment to the local Aboriginal community and the existence of a multitude of registered Aboriginal sites in the immediate locality and within the project area. These include artefact scatters, camp sites, isolated finds, stone quarries, middens, ceremonial, dreaming and mythological sites, resource and gathering areas, burial sites and potential artefact deposits (PADs). It is also noted that a component of the development proposal is also planned to align within and immediately adjacent to the East Ballina Aboriginal Place. The project area also contains landforms which have yielded a significant volume of evidence of Aboriginal occupation including ridges, water courses, sand dunes, knolls and slopes.

OEH also acknowledges that previous assessments of the project area have identified four (4) Aboriginal sites in the vicinity of the project. These sites include a camp site, a stone quarry and two middens. The results of an archaeological survey of the project area undertaken on 2 and 3 October 2012 are also noted and the identification of ten (10) Aboriginal sites in the immediate vicinity of the project area. These sites are identified as artefact scatters, middens, a camp site and mythological sites.

A search of OEH's Aboriginal Heritage Information Management System (AHIMS) revealed that each of the identified ten (10) new Aboriginal sites have not been registered in AHIMS. Accordingly, the applicant is advised to promptly complete Aboriginal Site Recording Forms for these sites and submit these records to the AHIMS Registrar, as per the requirements of Section 89A of the NPW Act. Any management outcomes for these sites must be included in the information provided to AHIMS. The applicant is also advised that penalties now apply to corporations for failing to fulfil these requirements. AHIMS contact details: Phone: (02) 9585 6470, address: Lvl 6, 43 Bridge Street, Hurstville, NSW, 2220, e-mail: ahims@environment.nsw.gov.au.

OEH notes that there is also a strong possibility that currently undetected cultural material may be present within the project area in those areas where Aboriginal objects have not been previously identified. It is therefore expected that the applicant would undertake appropriate assessment and management strategies to address this possibility in compliance with the requirements of the NPW Act.

Impact on Aboriginal cultural heritage

OEH acknowledges that further Aboriginal cultural heritage assessment is to occur during the detailed design phase of the project to determine whether the identified Aboriginal sites are likely to be protected, impacted or harmed by the development proposal. It is recommended that this assessment is undertaken in consultation with a cultural specialist and the local Aboriginal community. It is also recommended that this work is concluded promptly in order to inform the assessment process.

In the event that additional archaeological investigations are required, it is recommended that these investigations are undertaken in compliance with OEH's '*Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales*' (OEH, 2010) -

www.environment.nsw.gov.au/licences/archinvestigations.htm. The process described in this Code should be followed, documented accurately and focus on determining the nature, scale, extent and significant of any additional Aboriginal cultural heritage values of the project area.

It is also acknowledged that a component of the proposal is likely to impact on the East Ballina Aboriginal Place.

Management of Aboriginal cultural heritage

OEH's preference is to avoid impacting any Aboriginal sites or Places associated with the project. In the unlikely event that avoidance is impossible or impracticable; the applicant will be required to justify any likely impact and design an applicable management strategy in consultation with the local Aboriginal community and in compliance with the NPW Act. In these circumstances, this will involve the submission of an application to OEH for an Aboriginal Heritage Impact Permit (AHIP) following the determination of the development application. The application should address all likely and possible impacts from all aspects of the proposed development on all likely and potential Aboriginal cultural heritage values of the project area.

The applicant should familiarise themselves with OEH's AHIP requirements, provided in: '*Applying for an Aboriginal Heritage Impact Permit: Guide for Applicants*' (dated May 2011) (refer to: www.environment.nsw.gov.au/resources/cultureheritage/20110280AHIPguideforapplicants.pdf for further information). The guide should be read in conjunction with the NPW Act and the *National Parks and Wildlife Regulation 2009*.

In order to obtain an AHIP the applicant will also be required to demonstrate consultation with the local Aboriginal community complies with OEH's '*Aboriginal cultural heritage consultation requirements for proponents 2010*'. Support for the proposal from the local Aboriginal stakeholders is an essential part of this process. Refer to: www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf, for further information.

OEH also recommends that the following matters form a component of the proposed Construction Environmental Management Plan process:

- In the event that surface disturbance associated with the project identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeological specialist and the representatives of the Aboriginal community must be contacted to determine the nature, extent and significance of the object(s), and to develop an appropriate management strategy which complies with the NPW Act. The site is also to be registered in the AHIMS and the management outcome for the site included in the information provided to AHIMS.
- If human remains are located following surface disturbance, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are to be contacted immediately. No action is to be undertaken until the NSW Police provide written notification to the proponent. If the skeletal remains are identified as Aboriginal, the proponent must contact OEH's Environment Line, on ph: 131 555, and representatives of the local Aboriginal community. No works are to continue until OEH provides written notification to the applicant.

Consultation

Support for the current DA proposal from the local Aboriginal community is an essential part of the Aboriginal cultural heritage assessment process. Effective heritage management requires knowledge of values or cultural significance. An understanding of what makes a place culturally significant and why, enables appropriate decisions to be made about the management of that place. OEH recognises and acknowledges that Aboriginal people are the primary source of information about the value of their heritage

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Attachment 1 – OEH Aboriginal Cultural Heritage Comments
Proposed Ballina to Lennox Head Shared Path and Coastal Recreational Path, Ballina LGA

and how this is best protected and conserved and must have an active role in any Aboriginal cultural heritage assessment process.

OEH acknowledges that consultation has been undertaken with the local Aboriginal community regarding the proposed development and associated management strategies. OEH also understands that the three (3) registered Aboriginal parties (RAPs) have been provided with an opportunity to review the content of the CHA and the applicant proposes to develop and implement a Communication Plan for the project. These processes are supported by OEH.

OEH encourages the applicant to maintain continuous consultation processes with the Aboriginal community for the entire life of the project. As a general rule, gaps in the consultation process of 6 months or more will not constitute a continuous consultation process. Where an applicant or developer envisages a gap of more than 6 months it is recommended that RAPs are regularly informed of any progress.

Conclusion

OEH has no additional concerns with the Aboriginal cultural heritage assessment undertaken for the proposal. The Conditions of Approval for Aboriginal cultural heritage values recommended by OEH (Attachment 2) must be incorporated into any approval conditions for the proposal under Part 4 and/or Part 5 of the EP&A Act. Should you wish to discuss any of the above Aboriginal cultural heritage matters, please contact Mr Nick Pulver on (02) 6659 8225.

**Attachment 2: OEH Recommended Aboriginal Cultural Heritage Conditions of Approval
Proposed Ballina to Lennox Head Shared Path and Coastal Recreational Path, Ballina LGA**

1. The applicant must comply with Part 6 of the *National Parks & Wildlife Act 1974* (NPW Act), prior to commencing any ground disturbance or development works and during development works which is the subject of the development.
2. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeological specialist and the representatives of the local Aboriginal community must be contacted to determine the significance of the object(s) and to develop an appropriate management strategy. The management strategy must comply with the provisions of the NPW Act. This may include avoiding impact, additional investigations and/or the submission of an Aboriginal Heritage Impact Permit application. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) (managed by OEH) and the management outcome for the site included in the information provided to the AHIMS.
3. If human remains are located following surface disturbance, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are to be contacted immediately. No action is to be undertaken until the NSW Police provide written notification to the proponent. If the skeletal remains are identified as Aboriginal, the proponent must contact OEH's Environment Line on 131 555 and representatives of the local Aboriginal community. No works are to continue until OEH provides written notification to the applicant.
4. A Cultural Heritage Induction Program must be developed for the induction of all personnel and contractors involved in the construction activities on site. Records are to be kept of which staff/contractors were inducted and when for the duration of the project. The program should be developed and implemented in collaboration with the representatives of the local Aboriginal community.



Marine Parks Authority

RECORDS
SCANNED
16 JUL 2013
Doc No.....
Batch No.....

Rod Willis
Group Manager
Development and Environmental Health
Ballina Shire Council
PO Box 450
Ballina NSW 2478

15 July 2013

Dear Rod

Re: Development Application – General Referral - Construction of Coastal Recreational Path – East Ballina to Pat Morton Lookout, Lennox Head (including buffer of SEPP 26 Littoral Rainforest)

Thank you for your letters of 25th June 2013, seeking comment on the proposed pathway development. The following comments are provided for your consideration.

- Any stormwater infrastructure associated with the works must be completed such that the stormwater is retained and treated prior to discharge into Cape Byron Marine Park. It would be preferred if mechanisms exist to exclude litter, particularly plastic, from entering the marine environment. This advice is consistent with section 16 of the *State Environmental Planning Policy 71 (Coastal Protection)*.
- Works involving an increase in non-porous surfaces adjacent to the marine park result in an increase in surface run-off which can have a negative impact on marine biota. Wherever possible permeable materials should be used in the construction of the path and appropriate native vegetation plantings should be made between the path and the rocky shore.
- Due consideration should be given to the aesthetics of the path and associated infrastructure such that the scenic quality of the foreshore is maintained. This advice is consistent with section 16 of the *State Environmental Planning Policy 71 (Coastal Protection)*.
- In the interests of providing appropriate levels of service to both residents and visitors it may be desirable to install marine park signage at selected locations on the completed path in the vicinity of Lennox Head.

Please contact me on Ph 6620 9305 if you have any queries regarding this advice.

Yours sincerely

Andrew Page
Manager, Cape Byron Marine Park

Cape Byron Marine Park
PO Box 127, Byron Bay, NSW 2481
Tel: 02 6620 9300 Fax: 02 6620 9333
www.mpa.nsw.gov.au

25/07/2013 ¹⁷¹⁵

Ballina Shire Council

13/43469

SCANNED
26 JUL 2013
RECORDS

Re - Coastal Recreational Path

The coastal path to Lennox Head must be at least 2.5m wide and sealed.

I struggle with steps, and would prefer to have none.

13/43532

ACKNOWLEDGED

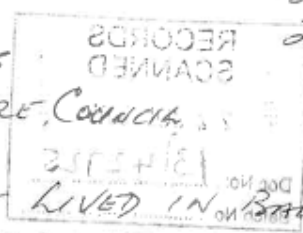
Yours Sincerely

Valerie Schacht

VALERIE SCHACHT
468 RIVER DRIVE
EMPIRE VALE NSW 2478

175
UNIT 2 5 BOY LANE
BALLINA 2478
21st JULY '13

Mr Rod Willis
BALLINA SHIRE COUNCIL
DEAR ROD.
I HAVE LIVED IN BALLINA SINCE



1975 AND BEEN A STRONG ADVOCATE FOR
A COASTAL PATHWAY FROM THE BREAKWALL
TO LENNOX HEAD OVER THE LAST 20 YEARS

THERE ARE A GREAT MANY IN THE
COMMUNITY WHO HAVE SUPPORTED ME IN THIS
ACTION, INCLUDING VARIOUS COUNCILLORS OVER
THE YEARS, ESPECIALLY ALAN BROWN.

PLEASE SUPPORT THE CURRENT
PROPOSAL BEFORE COUNCIL TO CONSTRUCT
THE COASTAL RECREATIONAL PATH TO THE
EAST OF THE COAST ROAD. THIS PATH
NEEDS YOUR SUPPORT IN VIEW OF
PROTECTING THE PUBLIC INTEREST AND
MAJORITY OF THE COMMUNITY, NOW
AND IN THE FUTURE, WHO WISH TO USE
THAT PATH FOR RECREATIONAL PURPOSES
IN LAND THAT BELONGS TO THE CROWN.

PLEASE DO NOT BE SWAYED AGAINST
THE MAJORITY OF THE COMMUNITY, BY THOSE
WHO HAVE SPECIFIC AND NARROW AGENDAS

YOURS SINCERELY,
JIM ROCHE BA JP.
[Signature]

Closing date: 4.30pm Friday 26 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



RE: Coastal Recreational Path

In view of protecting public interest;

I/We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width, alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

13/3/1093

2013/194/5

Janelle Snellgrove

From: Max Ryan [the2ryans@bigpond.com]
Sent: Saturday, 29 June 2013 5:46 PM
To: Ballina Shire Council
Subject: TO: Town Planning

RE: D A Shared Coastal Pathway

Please accept my contribution to the public exhibition of the above D A .

I am both a daily walker and cyclist on our existing shared pathways around Ballina and wish to make a very important issue for the future of a happy walker/cyclist relationship.

Before the pathway is completed please erect big signs along the routes which spell out the rules of behaviour for the users.

I suggest as follows: WALKERS: Please keep to the left.
CYCLISTS: Must warn walkers by bell before passing.
WARNING: Racing Cyclists are prohibited.

I know that consideration for all is expected but unfortunately it is rarely the norm.

Regards, Max Ryan

Sent from Windows Mail

13/39567

PT 5
2013/194 +195

Janelle Snellgrove

From: Barry Fitzhenry [bjfitzhenry@gmail.com]
Sent: Wednesday, 10 July 2013 6:20 PM
To: Ballina Shire Council
Subject: proposed walkway - Lennox to Ballina

Its a good project, but obviously will meet with opposition...three suggestions:

- 1) make it a pushbike and pedestrian walkway ..let me assure you riding a bike along the main road is a daunting and dangerous task (even at the new 80 km limit)
- 2) use concrete, not asphalt...the latter requires car traffic to retain its form and will have a much shorter life. The minimal extra cost of concrete at construction, coupled with the difficulties of patching asphalt later on, and the inferior presentation make it a poor choice for a this type of project. Galvanized reinforcement steel might be a a wise investment in the salt prone position.
- 3) call a local contract for some interpretative signage (in stainless steel)..you might not get a theme..but whales, birdlife..old coastal shipping, surfing spots...aboriginal stories...

--

Best regards,

Barry Fitzhenry
63 Stewart Street
LENNOX HEAD 2478
(new phone & address!)
m 0423537622
m 0408116891

TABLE V # 0009

Closing date; 4.30 p.m. Friday 26th July, 2013

Rod Willis,

Regulatory Services Group Manager,

Ballina Shire Council,

P.O. Box 450,

BALLINA. NSW 2478



Re: Coastal Recreational Path

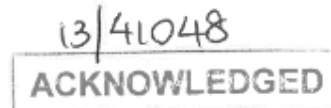
In view of protecting public interest;

I support the Coastal Recreational Path (the old sand mining road Proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width, alignment and surfaces from the Angels Beach Underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land Management.

Barry Saxby, 10 James Street, Ballina.

A handwritten signature in cursive script that reads "B. Saxby".



2013/195
Pt 5



23.7.13
To: Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
P.O. Box 450
Ballina NSW 2478



From: Robert House
5 Bellevue Ave
East Ballina
NSW 2478

Re: Coastal Recreational Path

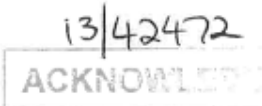
In view of protecting public interest

I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Kind Regards

Robert V Mowse



2/11 BEACHFRONT PDE
BALLINA N.S.W. 2478

Rod Willis

22.7.13

Regulatory Serv. Group Manager

B.S.C.

PO Box 450, Ballina NSW 2478

Dear Sir,

Re coastal Recreational Path.

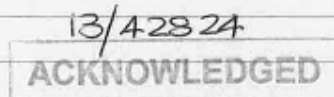
In view of protecting public interest,

I support the Coast. Recreat. Path (old sand mining road proposal) with the provision to include a use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment & surfaces from the Angels Beach underpass continuing to Pat Merton Lookout

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve & to the Principles of Crown Land management.

Yours faithfully,

Ms. Sybil House



J. A. REG. M. SKEMMING
4/85 SWIFT ST.
BALLINA 2478
24-7-13

13/43466
SCANNED
26 JUL 2013
RECORDS

BALLINA SHIRE COUNCIL,
GENERAL MANAGER,

Dear Sir,

Please accept our submission relating to the proposed coastal path-way linking with Lennox Head.

The advertised pathway and map along with newspaper letters - have been carefully considered by our family.

Last year council decided to construct a sealed pathway - no steps, with a 2.5mtr. shared width for all users (no steps) we all support that decision made by council, otherwise council would be failing in its obligation to the vast majority of the public.

The eastern side pathway makes common sense, there should be no alternative to last year's council decision.

Yours sincerely
J. A. Reg. M. Skimming

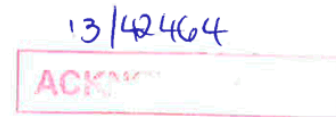
13/43519
ACKNOWLEDGED

20131195
Part 5

Closing date: 4.30pm Friday 26 July 2013



Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478
23.7.13



Dear Mr Willis

RE: Coastal Recreational Path

In view of protecting public interest;

I/We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

B|42627

PT 5

2013/194 + 195

PO Box 355
Romsey Vic
3434
Australia
(03) 54 295 053
0412 173 601
ygb@hotmail.net.au

Tuesday July 23, 2013

The Chief Executive Officer
Ballina Shire Council
40 Cherry Street,
Ballina 2478

Dear Sir/Madam.

RE: Proposed Coastal Recreational Path

Sheila and I visit Ballina each July/Aug for 4 weeks of recreation and exercise. (Last year we cycled 1000kms in Ballina, mainly on the existing shared paths). We are 78 years of age now, and would like to make the following comments.

1. We say thank you for the excellent existing network of shared pathways, kept in very good order, and most suitable for our type of use.
2. We are excited by the proposed extension to Lennox Head.
3. Cycling along these paths we see so many courteous and considerate users of every kind sharing the way. Older folk being pushed in wheelchairs, ladies walking their dogs, children 'getting their cycling legs', and serious pedal pushers going for a spin.
4. Extending the range of these experiences can only be good for the community and for everyone's well-being.
5. Even though some parts of the existing paths are only 1.8 Mtr wide, we have never seen any difficult issues. Everyone makes great use of them.

So we would wish to congratulate you on your forethought, and encourage you to designate all of the coastal track to the Pat Morton Lookout as Shared Pathway. Doing this will maximize the health and recreational benefits to all.

We look forward to trying the track out on our next visit in 2014.

Yours sincerely,

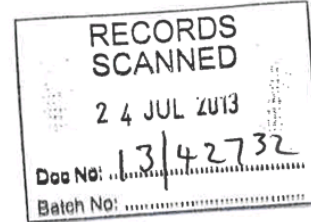
Sheila Barker
Honorary Life Governor – Royal Women's Hospital Victoria

V Graham Barker'
OAM FAIM

Mrs Lucy Jackson
1/17 Beachfront Parade,
East Ballina.
NSW 2478

Mr Rod Willis
Regulatory Services Group,
Ballina Shire Council.
PO Box 450
Ballina NSW 2478

20th July 2013



RE: Coastal Recreational Path

In view of protecting the public interest;

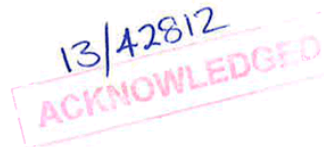
I support the Coastal Recreational Path (Old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain a shared path width (2.5mtrs), alignment and surfaces from the Angles Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of the Crown land management.

Yours sincerely,

Mrs Lucy Jackson

A handwritten signature in cursive script that reads "Lucy Jackson".

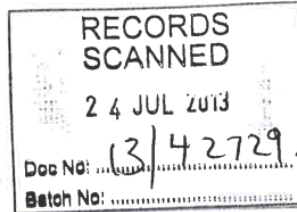


PT5

2/13 Beachfront Parade
East Ballina NSW 2478

20 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Sir:

Re: Coastal Recreational Path

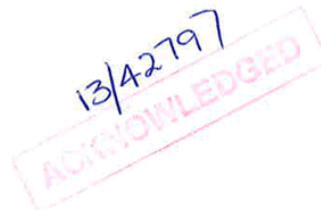
In view of protecting public interest:

I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the principles of Crown Land management.

Yours faithfully

Robyn F Driscoll, Ms



Mr Kelvin Jackson
1/17 Beachfront Parade,
East Ballina.
NSW 2478

Mr Rod Willis
Regulatory Services Group,
Ballina Shire Council.
PO Box 450
Ballina NSW 2478

20th July 2013



RE: Coastal Recreational Path

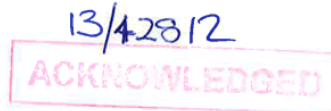
In view of protecting the public interest;

I support the Coastal Recreational Path (Old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain a shared path width (2.5mtrs), alignment and surfaces from the Angles Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of the Crown land management.

Yours sincerely,

Mr Kelvin Jackson



Mrs Marilyn Fountain
20 Granada Parade,
Alstonville.
NSW 2477

Mr Rod Willis
Regulatory Services Group,
Ballina Shire Council.
PO Box 450
Ballina NSW 2478

20th July 2013



RE: Coastal Recreational Path

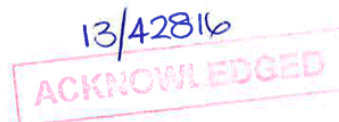
In view of protecting the public interest;

I support the Coastal Recreational Path (Old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain a shared path width (2.5mtrs), alignment and surfaces from the Angles Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of the Crown land management.

Yours sincerely,

Mrs Marilyn Fountain



PT 5

76 Headlands Dr
Skennars Head 2478
0266876277 johnhol13@gmail.com



To The General Manager
Ballina Shire Council
Ballina
Re DA 2013/194-5
Ballina to Lennox Head Coastal Recreational Path

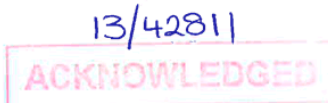
Dear Sir,

Would Council please consider retaining as much of the natural pathway, particularly in the Whites Head, Skennars Head and southern side of Lennox Point for the coastal path. Some of these areas are very visible from the Coast Road and an ugly strip of bitumen or concrete would not be appropriate in these areas.

If the existing path was levelled and top dressed with metal dust then rolled a very good surface could be created. Previously some of this area was dressed with road base which was much too coarse but a stable surface is evident. Existing grassed areas on the path show that with a little work a very good natural path could be created.

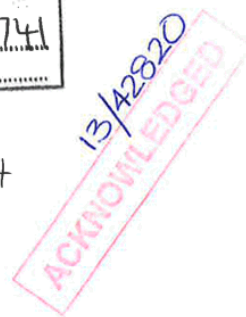
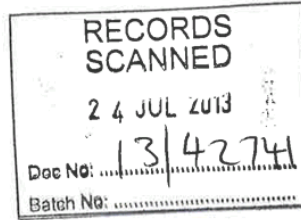
Regards

John Hollingsworth



22/7/13 PT 5

Rod Willis
Regulatory Services Group Manager,
Ballina Shire Council
PO Box 450
Ballina NSW.



RE: COASTAL RECREATIONAL PATH

In view of protecting public interest:

I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m) alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lockart.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land Management.

I am a Ballina Shire ratepayer and have been waiting 18 yrs since we built our house at Angels Beach for our children to utilize. I now hope ~~we~~ it will be built so our grandchildren may instead as our children have been denied.

Yours faithfully,

Wendy Ashdown
5 Pelican Place
Ballina 2478

13142784

PT 5

Janelle Snellgrove

From: Allan Britt [allanbritt@bigpond.com]
Sent: Wednesday, 24 July 2013 12:28 PM
To: Ballina Shire Council
Subject: Coastal Recreational Path

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
24/7/13

Re: Coastal Recreational Path

In the view of protecting public interest;

We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Allan & Yvonne Britt
1/39 Beachfront Parade
East Ballina NSW 2478
Ph: 02-66816528
Email: allanbritt@bigpond.com

13/43059

PTS

Ballina Shire Council
PO Box 450
Ballina NSW 2478

Des Stewart
16 Bayview Drive
East Ballina 2478
24th July 2013



Re: Coastal Recreational Path

In view of protecting public interest;

I support the coastal recreational path (old sand mining road proposal) with the provision, to include and use contemporary habitat principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Our family has waited for this path to be constructed for some 20 years now, let's make sure this opportunity is not wasted.

A handwritten signature in black ink, appearing to read "D. Stewart".

Yours sincerely
Des Stewart

13/43238

PT5
2013/194 + 195

Janelle Snellgrove

From: Jane and Craig [cleete@bigpond.net.au]
Sent: Thursday, 25 July 2013 9:28 PM
To: Ballina Shire Council
Cc: Craig Leete
Subject: DA 2013/194 , DA 2013/195 and the Coastal Recreation Pathway

Dear Ballina Council staff and councillors,

Re DA 2013/194, DA 2013/195, Coastal Recreation Pathway

I write in support of the proposed route of the coastal shared path between Pat Morton lookout and Headlands drive , predominantly along the eastern side of Coast Rd(DA 2013/194), as well as the pathway along Skennars Head Rd(DA 2013/195). The improved access as well as enormous benefits to community health and wellbeing on all levels will make these a wonderful asset.

I would also like to submit a very strong preference to have the cycleways, the finger access paths to the viewing areas, as well as the boardwalk behind boulder beach, built as a high priority. Together these will dramatically improve access to some wonderful areas of our coastline.

Once these are all built, I think it is then time to look at any further work to the coastal recreation path. I feel once people have readier access to the site, it will become apparent that the gradients are such that a shared pathway with cyclists (likely travelling at high speeds when coming down these slopes) would be dangerous. Use of wheelchairs on this sort of gradient would be next to impossible and extremely hazardous. I also believe once more people have seen this beautiful area, it is likely that there will be a strong desire for a minimum impact solution. I would support a return to the original planned walking track built to national park standards or simply leave it in its current form (having built the boardwalk behind Boulders Beach a major issue of the path being cut in two in the wet and high tides has been resolved).

In terms of the material finishes of the cycleway and finger paths/viewing platform,

- 1) I would like to see asphalt or significantly grey tinted concrete where hard surfaces are planned (as opposed to lighter concrete). These blend in much better than glary light coloured concrete.
- 2) I would be very anxious to avoid any further use of unsympathetic/unaesthetic materials such as the recycled plastic and metal used on the stairs from Pat Morton up to the top of the headland.
- 3) Use of timber and natural materials and plantings to make the path as aesthetically pleasing and natural as possible would be highly desirable and much appreciated.

Thank you for considering my thoughts on these three important future assets for our shire,

Kind regards,

Jane Leete (and family)

13/43236

11 2
2013/194 of 195

Janelle Snellgrove

From: susi cody [scody8@hotmail.com]
Sent: Thursday, 25 July 2013 5:40 PM
To: Ballina Shire Council
Subject: Submission for coastal pathway

Dear sir

I would like to make a submission to the shared pathway debate.

I believe the council should first of all build the cycleways as proposed through headlands and north creek road to lennox head and linking pat morton to headlands via coast road.

I think they should build the finger paths to the coast and the boardwalk around the wetland behind boulders beach.

Then I think they should delay any other works and see how this functions.

From a concerned ratepayer who doesn't like to share a walkway with a speeding bicycle.

Best regards
Susi Cody
13 Ibis Pl
Lennox Head

Sent from my iPhone

8.3 **Part 5 Project - Ballina to Lennox Head Recreational Path.DOC**

13/43239

PT 5

Janelle Snellgrove

From: Tim Leete [timleete@gmail.com]
Sent: Thursday, 25 July 2013 10:18 PM
To: Ballina Shire Council
Subject: lennox to ballina path.

2013/194 + 195

Re DA 2013/194, DA 2013/195, Coastal Recreation Pathway

my name is Tim Leete, and as a resident of Lennox head that surfs,
i would just like to write and make you aware of some concerns i have with the path.

A) The plastic paths: as a surfer, the grip on the plastic paths are painfull to work on during cold early surf, and on the way in are slipery with wet feet. i have also, noticed there very slipery for bikes in the wet.

B) concert colour, the light concert is bright, pigmented concert, or smooth ash felt such as hot-mix would be better.

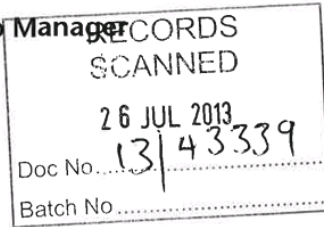
C) in terms of looks, wooden lookouts are start looking better, and age better , than the polymer alternitives.

i hope you consider these points in decision making.

thanks.

PT 5

Mr Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
BALLINA 2478



24th July 2013

Dear Sir

Re: COASTAL RECREATIONAL PATH

In view of protecting public interest:

I support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land management.

Yours faithfully


S Murray

3 White Water Ct, Ballina.



13/43240

PT 5
2013/194 & 195



26 July 2013

General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Dear Sir

**Submission regarding the Coastal Recreational Path and Shared
Commuter Path**

We refer to the Development Approval applications in relation to both the Coastal Recreational Path and the Shared Commuter Path.

The Northern Rivers Dirty Wheels Mountain Bike Club supports the construction of trails in the Shire which can be used by bicycles. We congratulate the Ballina Shire Council for their efforts in recognising the needs of bicycle riders relation to these two proposals.

Kind regards,

Bejinda Atkinson
(Secretary)

NORTHERN RIVERS DIRTY WHEELS MOUNTAIN BIKE CLUB INC
27 Swift St
Ballina NSW 2478
nthriversdirtywheels@gmail.com
www.dirtywheels.org

2/17 Beachfront Parade

EAST BALLINA NSW 2478.

Mr Rod Willis
Regulatory Services Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478.



Dear Mr Willis,

Re: Coastal Recreational Path.

In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles, to maintain shared path width (of 2.5m) alignment and surfaces from the Angel's Beach underpass and on to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the principles of Crown land management.

Yours sincerely,

A handwritten signature in black ink, appearing to read "W. Forkgen".



Wesley Forkgen

PT 5

Closing date: 4.30pm Friday 26 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



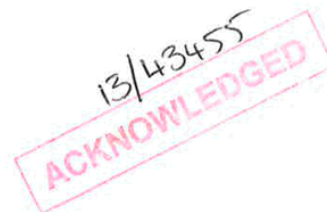
RE: Coastal Recreational Path

In view of protecting public interest;

I/We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Richard Marks
RICHARD MARKS
1/7 BARWEN SD
EAST BALLINA
NSW 2478



13 | 43504

Janelle Snellgrove

From: john heaton [john-heaton@hotmail.com]
Sent: Friday, 26 July 2013 3:08 PM
To: Ballina Shire Council
Subject: Comment on proposed Coastal Recreational Path and Shared Path

Council Project File reference 2013/0009, DA Number 2013/194, Council file reference DA 2013/195

Please find my comments on the above.

The Coastal Recreational Path already exists now as people often walk/ride the proposed route everyday. Sure it may need a bit of tweaking with regards to some areas due to erosion from water run-off. However, the vast majority of the route is very natural and only requires some fortifying of the surface in appropriate places.

To build an all purpose extra wide path over Skennars Headland and Lennox Headland will prove very costly and unwarranted due to the steep gradients of both headlands. People in motorised scooters or wheelchairs might be able to negotiate the steepness, but, people pushing prams or people in manual wheelchairs will find it very difficult.

Likewise, the path along Boulders Beach will prove very costly to construct.

I applaud the proposed Shared Path from Pat Morton Lookout to Rocky Point Road. A corridor running east alongside the Coast Road, similar to that along Angels Beach Drive and Kingsford Smith Drive is commendable. With the speed limit along the Coast Road now at 80km, it will be very similar to that of Angels Beach Drive.

In fact, the whole Shared Path should run along the eastern side of the Coast Road to the underpass on the Coast Road at East Ballina. The existing path along Angels Beach Drive can connect to this at the intersection of Angels Beach Drive and the Coast Road. With this as the main artery, smaller paths can be constructed to Flat Rock and the Iron Peg and along the tops of Skennars Head and Lennox Head. These paths along the top of the two headlands will accommodate people wanting to experience a headland view, whale watching and picnics (with appropriate infrastructure).

With the Shared Path along the east side of the Coast Road, it can easily link with the residential development at Skennars Head and when funds become available, continue a secondary Shared Path along Skennars Head Road and North Creek Road to Lennox Head village.

With more funds available in the future, a Shared Path from Lennox Head north to Ross Lane, along Ross Lane and then follow the old Pacific Highway back to Ballina. Now, wouldn't that be a terrific eco- tourism facility - a safe, circuit connecting Ballina with Lennox Head.

Please take the above comments into consideration when making your final decision.

Regards

John Heaton
128 Platypus Drive
URALBA NSW 2477

13/43242

Janelle Snellgrove

From: Martin Jackson [jojoandmj@hotmail.com]
Sent: Friday, 26 July 2013 8:10 AM
To: Ballina Shire Council
Subject: Ref: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Pathway
Attachments: Ballina Council - Pathway Letter - 2013.pdf; Walts Weekend - Membership.pdf

Dear Council officer,

Please find two attachments in relation to the Ballina to Lennox Head Coastal Recreational Pathway.
Thanks you for the opportunity to comment and for considering our submission.

Sincerely

Martin Jackson

0402 469 152

PT 5

LENNOX HEAD LANDCARE
Working Together for our Environment



PO Box 84 Lennox Head NSW 2478

19 July 2013

General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Sir

Re: PT5 2013/0009 Ballina to Lennox Head Coastal Recreational Pathway

Lennox Head Landcare is in general agreement with the route chosen for the above pathway. However, we note that there will be many significant decisions that will need to be made during the construction phase and we would like to be involved in some way with these when within the areas we operate. For example, the route across the Boulder Beach lagoon, the section along the front of the dune at the southern end of Boulder Beach and also down the north side of Skennars Head.

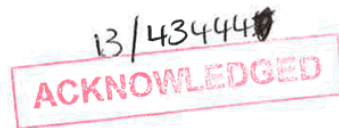
We have noted one item that is of concern. The section along the edge of the littoral rainforest at the southern end of Boulder Beach is described in the Review of Environmental Factors as being consolidated gravel path. In the sheet showing longitudinal sections it is marked as asphalt surface. We would hope that this very sensitive area has a gravel surface.

With the improvement to the pathway there will be increased usage by people walking dogs. It is unusual to see dogs on leads at Boulder Beach and an increase in this practise is not acceptable. We would like to see dogs prohibited from all areas near fauna habitat. We note that concern is expressed in the environmental assessment regarding this issue.

The proposal seems to be silent on the impact of bicycles using the pathway. Are they to be prohibited? Has the risk on the narrow sections of Skennars Head been evaluated for example? Many riders use the area at present and numbers are likely to increase significantly.

Yours faithfully


Malcolm Milner
President



8.3 **Part 5 Project - Ballina to Lennox Head Recreational Path.DOC**

13/43528

2013/11
2013/194
PT 5

Janelle Snellgrove

From: Tim Harrison [tim.harrison55@gmail.com]
Sent: Friday, 26 July 2013 3:49 PM
To: Ballina Shire Council
Subject: Re Coastal Recreation and Shared Paths

Dear Council

I would like to make a submission re the proposed Paths.

I am fully supportive of both the Shared Paths, one from Ballina to Lennox following the Skennars Head Road / North Creek Road route and the other from Skennars Head to Pat Morton Lookout. I believe the most appropriate location for these paths follow the routes as indicated in the DA.

A widening of the road and separation of cycle/walkway from vehicular traffic will create a facility that is a great asset to the community by encouraging the safe utilisation of this route by walkers and cyclists alike.

The Coastal Recreation Path I believe requires careful consideration. The proposed boardwalk at the back of Boulders has merit and I am supportive of this element.

I would not, however, be in favour of the development of the route in the fashion of the concrete path and handrail from the Boardwalk to Pat Morton. While this could be argued to be appropriate in the city, here in this beautiful coastal region the very thing that appeals to people and brings them to the area is its natural beauty. This natural beauty needs to be respected when allowing access by the public and any proposed pathway needs to blend intimately with its surroundings.

Further consideration needs to be given to the nature of any such development and I would request council delay proposals for this path until specific details are opened up to public opinion. From what I can see on the website these details are not clear.

Tim Harrison
Lennox Head Resident

Mr Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
BALLINA 2478



24th July 2013

Dear Sir

Re: COASTAL RECREATIONAL PATH

In view of protecting public interest:

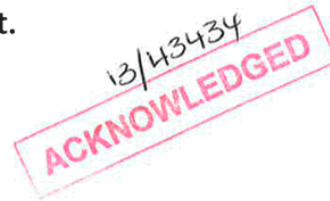
We support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land management.

Yours faithfully


JA & ML Hayes

3 White Water Ct, Ballina.



13/43560

P1 5
2013/194 & 195

Janelle Snellgrove

From: David Wolff [dwolff@walterslegal.com]
Sent: Friday, 26 July 2013 4:26 PM
To: Ballina Shire Council
Subject: Shared Pathway and Coastal Recreational Pathway

Dear Sir,

SHARED PATHWAY AND COASTAL RECREATIONAL PATHWAY (CRP)

I refer to Council's current proposal titled "Shared Path and Coastal Recreational Pathway".

Shared Path

For environmental and safety reasons I suggest retaining the Shared Path as close to the road (assuming a safe distance) as possible and within the existing road reserve.

I would like to add:

1. It would be preferable to construct the Shared Path in a manner which avoids any use of handrails like those used on the section from Skennars Head to Pat Moreton Lookout as they narrow the path and make it dangerous.

2. I believe that Council should adopt a landscape plan prepared by an expert which takes account of the entire Headland area. It is critical to "develop" this area with sympathetic materials that it deserves.

In my view the Shared Path should be constructed as soon as possible and well before it becomes necessary to construct a "Coastal Recreation Pathway (CRP)".

Coastal Recreation Pathway 'CRP'

In my opinion, it will not be necessary to build a CRP for some time once the Shared Pathway is complete. The current track has been used for many years and is totally adequate and safely for walkers. I walking the current 'track' regularly and it is perfectly adequate.

I cannot determine the material as proposed for the CRP but suggest the following if it is to be built.

1. The only appropriate surface would be a narrow gravel or paved path (only) which is suitable for walkers. The track around Cape Byron is an example of a path which provides for good access but is in keeping with the sensitive environment of the area.

2. It is likely that a few stairs would be necessary but stairways should be kept to a minimum.

3. If any boardwalks are to be constructed they should be kept well back from the Boulder Beach area and constructed from environmentally sensitive material such as timber (as happens in other Shires).

In summary, given the delays over many years the Council should build the cycleway ("Shared Path") as a matter of urgency and leave the track (CRP) until the usage and impact of the Shared Path can be measured.

Yours faithfully,
David Wolff

Lennox Head

PT 5
2013/194
2013/195

NORTHERN BEACHES USERS CLUB.

President: Denis Magnay. Ph. 66865139.

Address all correspondence to the Secretary Mr Bob Pilling 34 Fenwick Drive East Ballina 2478.

26-7-2013.

In response to the advertised proposal to construct a number of paths between Lennox head & Ballina we submit the following.

For decades a Coastal Recreational path has been requested. We accept that Recreational Path is planned to be close to the Coast, & is in a dedicated Road Reserve

For that reason we believe there is no excuse to have the path any narrower than the paths already started & that there should be **NO STEPS.**

Because the path is to be used by as many users as possible, we would be very disappointed if it isn't bitumen sealed or concrete & ~~board~~ sidewalks where required.

Our expectations is that because the Coastal Recreation Path has been for so long at the planning stage it should be constructed first & any subsequent paths on the Western side of the Coast Road be constructed secondary.

Yours Faithfully.

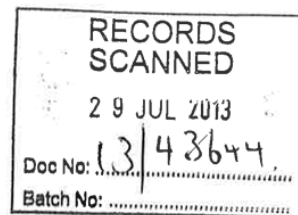
President:

Denis Magnay



Secretary.

Bob Pilling.



pt 5

13/43470
SCANNED
7 6 JUL 2013
RECORDS

PO Box 1505
Ballina 2478

Rod Willis
Regulatory Service Group Manager
Ballina Shire Council
PO Box 450
Ballina 2478

Re: Coastal Recreational Path

In view of protecting public interest:

I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Yours sincerely



Leanne Nelson

13/43534
ACKNOWLEDGED

13/43376

Scott Ashdown PT 5
5 Pelican Place
Ballina 2478

SCANNED
26 JUL 2013
RECORDS

Att Rod Willis.

Re: Coastal Recreational Path

In view of protecting public interest I support the Coastal Recreation Path. (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m) alignment and surfaces from the Angels Beach underpass continuing to Pat Morton lookout.

Consideration must also be given to the rights that exist as a consequence of the Public Road Reserve and to the principles of Crown Land Management.

Yours faithfully



Scott Ashdown

13/43425
ACKNOWLEDGED

To
Rodd Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Re: Coastal Recreational Path

In view of protecting public interest;

I support the Coastal Recreational Path (old sandmining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of Public Road Reserve and to the Principles of Crown land management.

Yours sincerely,

DAVID O'MEARA
1/25 BEACHFRONT PDE
BALLINA

13/43420
ACKNOWLEDGED

13/43360
SCANNED
26 JUL 2013
RECORDS

195

To
Rodd Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Re: Coastal Recreational Path

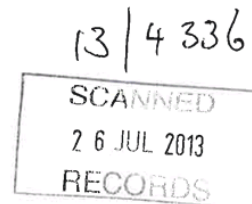
In view of protecting public interest;

I support the Coastal Recreational Path (old sandmining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of Public Road Reserve and to the Principles of Crown land management.

Yours sincerely,

LYN O'MEARA
1/25 Beachfront Ave
Ballina NSW 2478



P 5

To
Rodd Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Re: Coastal Recreational Path

In view of protecting public interest;

I support the Coastal Recreational Path (old sandmining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of Public Road Reserve and to the Principles of Crown land management.

Yours sincerely,

A handwritten signature in black ink, appearing to be "S Groam".

S Groam St
Kyogle
2474



PT 5

To
Rodd Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Re: Coastal Recreational Path

In view of protecting public interest;

I support the Coastal Recreational Path (old sandmining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of Public Road Reserve and to the Principles of Crown land management.

Yours sincerely,

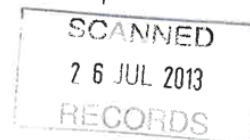
Mary Ionomou

13 Isobell Ave West Pennant Hills NSW 2125

13/43412



13/43357



To
Rodd Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

RECEIVED
26 JUL 2013
COUNTER


Re: Coastal Recreational Path

In view of protecting public interest;

I support the Coastal Recreational Path (old sandmining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of Public Road Reserve and to the Principles of Crown land management.

Yours sincerely,


C. O'Meara.

47/31 Rams gate street
Kevin Grove. 4059

13/43409
ACKNOWLEDGED

13/43356.
SCANNED
26 JUL 2013
RECORDS

PT 5

To
Rodd Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Re: Coastal Recreational Path

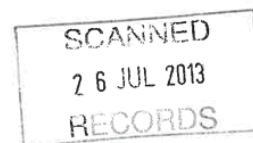
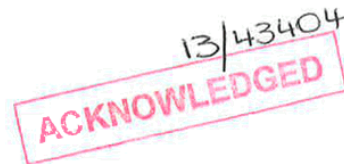
In view of protecting public interest;

I support the Coastal Recreational Path (old sandmining road proposal) with the provision to include and use Compensatory Habitat Principles to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of Public Road Reserve and to the Principles of Crown land management.

Yours sincerely,

Regan Broadfoot
49/50 John McDonald Way
Theresa Park NSW 2570



13/43854

PT 5

2/17 Beachfront Parade

EAST BALLINA NSW 2478.

Mr Rod Willis
Regulatory Services Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478.



Dear Mr Willis,

Re: Coastal Recreational Path.

In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles, to maintain shared path width (of 2.5m) alignment and surfaces from the Angel's Beach underpass and on to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the principles of Crown land management.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Blair Forkgen".

Blair Forkgen

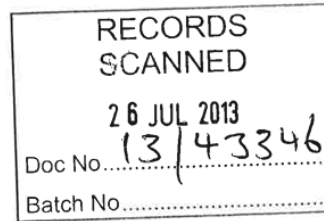


PT 5

3/13 Beachfront Pde
BALLINA 2478

24 July 2013

Rod Willis
Regulatory services Group Manager
Ballina Shire Council
PO Box 450
BALLINA 2478



Dear Rod

Coastal Recreational Path

When I moved to Ballina in 2002, I understood that the coastal recreational path along Angels Beach was to be built shortly. Now, 11 years later, it's still not built.

In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use compensatory habitat principles to support the proposal, to maintain shared path width of 2.5m, with alignment and surfaces from Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the public road reserve and to the principles of crown land management.

I urge council to make this path a reality as soon as possible.

Yours sincerely

A handwritten signature in cursive script that reads "Julia Drury".

Julia Drury



PT 5

2/17 Beachfront Parade

EAST BALLINA NSW 2478.

Mr Rod Willis
Regulatory Services Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478.



Dear Mr Willis,

Re: Coastal Recreational Path.

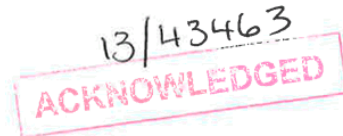
In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles, to maintain shared path width (of 2.5m) alignment and surfaces from the Angel's Beach underpass and on to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the principles of Crown land management.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Derek Forkgen".

Derek Forkgen



P 5

2/17 Beachfront Parade
EAST BALLINA NSW 2478.

Mr Rod Willis
Regulatory Services Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478.



Dear Mr Willis,

Re: Coastal Recreational Path.

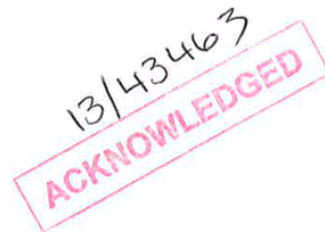
In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision to include and use Compensatory Habitat Principles, to maintain shared path width (of 2.5m) alignment and surfaces from the Angel's Beach underpass and on to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the principles of Crown land management.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R Phillips".

Ryan Phillips.



PART V. #0009

Closing date: 4.30 p.m. Friday 26th July, 2013-07-16

Rod Willis,
Regulatory Services Group Manager,
Ballina Shire Council,
P>O> Box 450,
BALLINA. NSW 2478



Re: Coastal Recreational Path

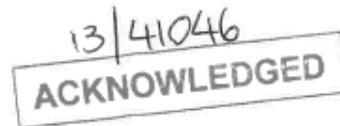
In view of protecting public interest;

I support the Coastal Recreational Path (the old sand mining road proposal) with the provision, to include and use compensatory Habitat Principles, to support the proposal, to maintain shared path width, alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

A handwritten signature in cursive script that reads "Janice Saxby".

Janice Saxby
10 JAMES ST,
BALLINA



13/5

Closing date: 4.30pm Friday 26 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

RECEIVED
26 JUL 2013
COUNTER

RECORDS
SCANNED
26 JUL 2013
Doc No. 13/43842
Batch No.....

RE: Coastal Recreational Path

In view of protecting public interest;

I/We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Julie James

2/27 Beachfront Pde
EAST BALLINA
6086 9254

13/43435
ACKNOWLEDGED

8.3 **Part 5 Project - Ballina to Lennox Head Recreational Path.DOC**

13/43482

2013/194-5

Janelle Snellgrove

From: Alison Sandercock [alison.sandercock@gmail.com]
Sent: Friday, 26 July 2013 2:26 PM
To: Ballina Shire Council
Subject: TRIM: Cycle way resident submission

Dear Council,

I would like to support the building of the cycleways as proposed through headlands and north creek road to Lennox Head and linking Pat Morton to Headlands via coast road.

I also support the construction of the boardwalk through the wetland behind boulders beach.

I request that no decision to be made regarding the proposed changes to the current coastal walking trail from Pat Morton lookout to Skennars Head. The fragile beauty of this coastal strip needs very careful consideration and should be considered post cycle way completion.

The cycle ways will be a wonderful community asset and I look forward to riding to work in Ballina from Lennox on a daily basis.

Thank you for your consideration.

Kind regards

Alison

Alison Sandercock
19 Banksia Avenue
Lennox Head

PT 5

Closing date: 4.30pm Friday 26 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

RECORDS SCANNED
26 JUL 2013
Doc No. 13/43341
Batch No.



RE: Coastal Recreational Path

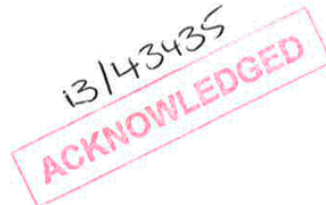
In view of protecting public interest;

I/We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width, alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Richard James

*2/27 Beachfront Pde
EAST BALLINA 6686 9254*



PT 5

Closing date: 4.30pm Friday 26 July 2013

RECORDS
SCANNED
26 JUL 2013
Doc No. 13/43335
Batch No.

Rod Willis
 Regulatory Services Group Manager
 Ballina Shire Council
 PO Box 450
 Ballina NSW 2478

RE: Coastal Recreational Path

In view of protecting public interest;

I/We support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

13/43455
ACKNOWLEDGED

Janice Mackie
 1/7 Barwen St
 E. BALLINA 2478

Dr. Meng Yew Yeo
MBBS (Qld)

1/90 Tamar Street
Ballina NSW 2478

Dr. Ian Falson
MBBS, Dip RACOG
Cert. SKINCANCER MEDICINE

Tel: (02) 6686 4780
P.O. Box 312
Ballina NSW 2478

To Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478
26/7/13



Re: Coastal Recreational Path

In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach Underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land Management.

Yours faithfully,

Ian Falson

Dr. Meng Yew Yeo
MBBS (Qld)

1/90 Tamar Street
Ballina NSW 2478

Dr. Ian Falson
MBBS, Dip RACOG
Cert. SKINCANCER MEDICINE

Tel: (02) 6686 4780
P.O. Box 312
Ballina NSW 2478

To Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478
26/7/13

Re: Coastal Recreational Path

In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach Underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land Management.

Yours faithfully,

Meng

Meng Yew Yeo



PT5

Josephine SI Yeo
6 Bayview Drive,
Ballina NSW 2478
26/7/13

To Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478
26/7/13

Re: Coastal Recreational Path

In view of protecting public interest, I support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width (2.5m), alignment and surfaces from the Angels Beach Underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land Management.

Yours faithfully,


Josephine Yeo



P O Box 7017
Ballina NSW 2478
Ph: 66864448 Mb:0419322956
E-mail: the2rvans@bigpond.com

*PT 5
2013/1194
2013/1195*

.....

Max & Nina Ryan

Rod Wills
Regulatory Services Group Manager
Ballina Shire Council
P O Box 450
Ballina NSW 2478



Dear Sir,

Re: COASTAL RECREATIONAL PATH

I write in response to the advertised Consent Use proposal for the Coastal Recreational Path which we fully support, but with some essential improvements.

We are local residents and daily user of the existing pathways for both walking and cycling and as such, want to represent the TARGET MARKET you should be aiming for with this project as well as the public in general. The first and most important thing to say is that after so many years of debate, we want to see this valuable project actually happen. Please try keep it simple and stick to the objective, which in real terms is – A COASTAL RECREATION SHARED PATH 2.5 metres wide. In this proposal we seem to have a series of construction obstacles, historical distortions, and many unnecessary alternatives on the Coast Road.

Almost the whole area of this study has been the subject of historical Sand Mining from last century up to the late 1960's which has left a heavily disturbed natural area and a legacy of an established road reserve used currently as a public path on which the Coastal Path can now be constructed on a route already provided.

The intention of the Land Zoning was to encourage Public Recreation use and not lock public access out. So let us try to formalise the existing track and give the Public access to this wonderful part of the Coast in as natural state as possible. Board walkways and handrails both sides are actually not necessary, but will be very costly, and will rapidly require expensive maintenance. Trees that need to be removed can be easily replaced with more suitable and better trees, any Archaeological sites can be avoided if required, and these issues should not inhibit the major sensible objectives.

The Western CYCLE PATHWAY proposal either side of the Coast Road has become an added aspect not previously contemplated, and it does inhibit the main and primary objective of the COASTAL RECREATION PATH, and should be deferred to a later stage.

.....

July 22, 2013
Page 2

In fact this whole project should be staged, to not only complete it in its entirety but to plan, construct, and to finance such a big and crucial project.

Stage 1. Angels Beach underpass to Flat Rock,

Stage 2. Flat Rock to Sharps Beach.

Stage 3. Sharp's Beach to Boulder Beach.

Stage 4. Boulder to Pat Morton Lookout.

Stage 5 Western Cycleway North Creek Road to Lennox Head.

This very worthwhile Project must be kept "ON THE TRACK" otherwise it will never happen. THE PUBLIC WANT A SHARED COASTAL PATH 2.5 meters wide on Councils preferred list and now is the time to drive forward and make it happen at long last.

Yours faithfully



Max & Nina Ryan
22 July 2013

RECEIVED
26 JUL 2013

COUNTER
Mr Matthew Wood
Planning Department
BALLINA SHIRE COUNCIL.

1/69 Stewart Street
Lennox Head NSW 2478
Phone: 6687 7221
E-mail: marellelee@gmail.com
26th July 2013.

RECORDS SCANNED 29 JUL 2013 Doc No. 13/43658 Patch No.

A Short Submission about ...

COASTAL RECREATIONAL PATH --- Ballina to Lennox Head.

My main concern was that important Aboriginal heritage, and European and other heritage, be carefully preserved in the area of the path and associated lands. That heritage includes environmental impacts. Such issues appear to have been carefully observed in the planning.

About 15 years ago, when I was a Lennox Head DuneCare volunteer, when Don Apps was in charge, I was invited to a Ballina meeting about the proposed coastal shared pathway from Melbourne to North Queensland. Maclean Shire Council's woman mayor was a prime mover. As the proposed pathway was through three states, I assumed it would be overseen by the Federal Government. That may not be the case.

Also I was in a group which walked the coastal route from Flat Rock to Lennox Head several years ago, and have walked other sections at various times. There are steep sections where steps and handrails would be necessary for handicapped and elderly people, and young children in strollers etc. There have been objections to steps and handrails. Such aids have improved access to Lennox Headland from the north for visitors and locals.

I have read the Ballina Shire Council's advertisement and map of the path route in the 10th July 2013 edition of *The Ballina Shire Advocate*, and other documents details.

COST ... I did ask at a Lennox Head Residents Association meeting this year, attended by Ballina Shire Council's Mayor, General Manager and Group Manager, Regulatory Services, how was the pathway to be funded? Apparently it will be expensive, and from a variety of sources, which should be publicised for public scrutiny as the work unfolds.

Another concern to me has been debates at Ballina Council meetings about the Stewart family land and Skennars Head Coastal Village. Dr and Mrs Stewart bought their farm in 1967. They were generous in allowing The Coast Road to bisect it. When Dr and Mrs Stewart were overseas, Ballina Council built a carpark on portion of their land on the eastern side, without the Stewarts' permission. I was among those appalled at the Council attempting to try to refuse to allow the Stewarts to develop their land on the western side of The Coast Road, unless they sold their eastern side land to the Council. Such pressure seems unethical.

The debate about the Skennars Head Coastal Village at the Council meeting of 25th July last included councillor criticisms of proposed blocks being too small. Yet the Council has approved much smaller strata block subdivisions in Lennox Head, which seems inconsistent.

Also inconsistent is councillors' concern that the Stewarts might build on their small blocks on the eastern side, (near the recreational path) when the Council allowed a large building on a former farmhouse site at Boulder Beach, near dunes.

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

COASTAL RECREATIONAL PATH -- Ballina to Lennox Head - 2

Escalation of the dispute with Dr and Mrs Stewart is to be regretted. It is to be hoped that the coastal pathway will be resolved without rancour.

The coastline from Ballina to Lennox is scenically magnificent. All would benefit by the pathway being improved, preferably without unnecessary expense.

Overall I think the route of the proposed formalised path from East Ballina to Lennox Head's Pat Morton Lookout, with links to North Creek Road, Skennars Head, and along The Coast Road, is excellent.

Thank you for the opportunity to comment,

Yours sincerely,


Marehe Lee

PF. 5

Closing date: 4.30pm Friday 26 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



RE: Coastal Recreational Path

In view of protecting public interest;

~~I/we~~ support the Coastal Recreational Path (old sand mining road proposal) with the provision, to include and use Compensatory Habitat Principles, to support the proposal, to maintain shared path width, alignment and surfaces from the Angels Beach underpass continuing to Pat Morton Lookout.

Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Tanya Earlam
Tanya Earlam
69 Clavan St
Ballina 2478

13/4/1459

PT 5
2013/194 -5

Registered 13/8/13

General Manager
Ballina Shire Council

Dear Sir
Re DA 194 and 195 and Part V Assessment 20120009 for the Pedestrian Cycleway
Access

Firstly congratulations to the Council staff who have come up with a good
compromise between improving access between Lennox Head and Ballina and not
buggering up the coast. The proposals in general have my support. In particular the
proposed improvement of the path along Skenners Head Road is long overdue.

However two small issues

1. The most common users of the track between Boulders Beach and the
Boulders Beach Car Park are surfers. Given the track is sandy it is never
boggy even in heavy rain but if it were to be made out of gravel it would be
difficult to walk on and I suspect all surfers will walk next to the track
defeating the purpose. By all means make it wider if you need to but for that
section can I suggest gravel would run counter to the reason for the path.
2. The assessment of the visual amenity of the coastal path is poor as it fails to
properly assess the visual scar that will be caused when looking at Lennox
Point from Boulders.

I have walked these areas for the past 10 years and there are a number of places that
get boggy or are steep and eroded and should be fixed but the beauty of walking these
hills is it feels quite natural – it would seem that by using gravel the whole length you
improve access and reduce amenity – again counter to what you are trying to achieve.
My suggestion would be to fix the boggy and steep bits and leave the remainder as
beautiful as it is so visitors and locals alike don't have to feel like they are in a man
made environment.

Yours sincerely



Craig Copeland
26 Tara Downs
Lennox Head



Kerne Moran

4/29 Burnett St

Ballina 2488

0435379030

19112000.

2013/10/15

To Whom it May Concern

Regarding the path way to Lennox from Angles Beach I am a rate payer, disabled & have a heart for every one to be able to use the path.

Last year we won 10/10 Support & where promised A Seated Path 2.5 meters No Steps

So every one from infancy in prams to Able Bods on Roller Skates, Skate boards, Bicycles Commuters, goalk in wheel chairs (Antonvalds)

a Buggy, could access the Beautiful Seascape. The exciting Nth Great Rd is a good option with Bridge Restored (2.5 mtrs) for Bicycle Commuters just use step & ready travel. Paying a hop's you'll have large steps to add on from now not exclude this

Ballina Environment Society Inc
PO Box 166 Ballina
NSW 2478 Australia
Email: BES2478@gmail.com
Ph: 0421-551-768



SUBMISSION ON PT 5 2013/0009

Ballina to Lennox Head Coastal Recreational Path

Ballina Environment Society feels in some sense vindicated by this Review of Environmental Factors (REF) as it goes some way to addressing our concerns. However there are aspects, for example the 3.5m-5m construction footprint mentioned in 4.2.2, particularly associated with the 2.5m wide boardwalk at Angels, which are of serious concern.

BES is alert but not alarmed Documents on Exhibition reveal there still needs to be a detailed design and a Construction Environmental Management Plan (CEMP) which will include:

- Soil and Water Management Plan (SWMP) – by the Contractor. **We need to know this before route approval.**
- Pre-clearance survey – by a qualified botanist or ecologist for the Contractor
- Map the location of the existing heritage items – by the Contractor
- Develop a Communication Plan to inform registered Aboriginal Stakeholders – by BSC
- Minimise connectivity of the Path and infrastructure to mythological places – by BSC
- Formally register the Aboriginal sites identified during this survey on AHIMS – by BSC
- Apply to OEH for an Aboriginal Heritage Impact Permit (AHIP) – By BSC
- Avoid harm, institute a procedure for finds, ensure that staff and contractors undergo cultural heritage inductions – by the Contractor

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Reporting criteria for dieback along the CRP should have been instigated at a much earlier phase in project development, as evidenced by the deterioration of dunal vegetation at Sharpes Beach following Bitou Bush management from 2009 - 2012.

Aboriginal heritage is shown to be poorly defined and European heritage is lacking when it does not include the earliest agricultural mill in the area, or note the witnessing in WWII of a Japanese Sub surfacing and replenishing water canisters recorded in the Local History Room at Ballina Shire Council, both utilising Sharpes spring.

Indeed heritage signage is not integrated into the project but appears to be identified as a future action. BSC needs to ensure heritage signage is fully endorsed and embedded into the proposed planning.

The pathway reflects we, as a community, are still a long way from applying an information to knowledge to wisdom approach to heritage, rather applying a 'tick the box' call for stories.

The contaminated soil report does not include Loves Dip, the cattle dip north of the spring. A record search was not deemed necessary, although existence of the dip site is well known. Likewise, understanding the impacts of sand mining in the locality has not been explored.

Past dislocation of the wildlife corridor from the Nature Reserve by The Coast Road and urban development, is not justification for failure to maintain or improve into the future.

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

BES strongly urges Council to retain the right to Consent and therefore continued community participation. The REF relies on mitigation of impacts. This mitigation cannot be ascertained until the final design is released.

We only hope the constraints to the Coastal Recreational Pathway demonstrated through the REF, do not impact on the progression of the Commuter Cycleway. This infrastructure, providing a direct connection, not only to the beach but to schools, shops and sports fields from expanding urban areas, needs to be the priority, not a side line.

Fiona Folan
President

26th July, 2013

FOR YOUR INFORMATION

Explanation of Compensatory Habitat Principles

Path widths should not be compromised as any impact is able to be reasonably and practically mitigated/off-set by the use of off-set/compensatory plantings with appropriate native endemic plant species (i.e. where any plant is required to be removed, it is to be replaced with an increased number of plants in an appropriate location at a rate of between 1:3 up to 1:10, depending upon the significance of the tree/plant that is removed). Example: apply this principle to the narrowing of the Overpass to Flat Rock shared path to 1.5 meters due the Coastal Cypress Trees etc.

Explanation of existing rights

Consideration must be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Any approval for the activity should be framed around the above. Consideration must be given to the fact that the land is **NOT** part of a National Park, but is largely within a road reserve. The land is also contained within Ballina Coastal Reserve (being Reserve No. 1010068), the purpose of which is for 'Public Recreation, **Access** and Coastal Environmental Protection' (as notified on the 13th August 2004).

The Ballina Coastal Reserve has been reserved for the following specific purposes – refer to the 'Principles of Crown land management' below, and in particular (c) and (d). The use and enjoyment of such land by the public is expressly provided for. Therefore a 2.5m shared Path is an ideal use for this land.

Reference should also be made to the 'Right of passage along public road by members of the public' below, and in particular (1) being the public entitlement.

The proposed upgrade works to the Coastal Recreational Pathway are being undertaken to upgrade and formalise the existing informal gravel track, that has a current 'public entitlement, as of right, to pass along the public road reserve (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along such a road'.

This public entitlement is fundamental to any decision making about the subject Road Reserve.

11. Principles of Crown land Management (Crown Lands Act 1989)

For the purposes of this Act, the principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,

PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

His worship the Mayor, esteemed Councilors, Council officers

To whom it may concern,

In reference to a section of the proposed Ballina to Lennox Head Coastal Recreation Path, we respectfully ask Council to review the suggested route.

Who we are: Every year, on a weekend in May, a group of Currumbin Valley fathers wish their wives a quiet and restful break, and leave for the Flat Rock campground with their children.

For the children of Currumbin Valley, this is the most significant weekend of the year. *"Better than birthdays or Christmas"* is the general comment.

This annual long weekend event started twenty five years ago by the late Chris Walton, developer of the world recognised Currumbin Ecovillage, and has grown to incorporate up to thirty Dads and sixty kids, annually.

The recent tragic death of Chris Walton in December 2012 has given extra significance to this weekend.

We wish to state that we wholeheartedly support Council's proposed Ballina to Lennox Head Coastal Recreational Path if the project is implemented sensitively, but... **we strongly believe the section running adjacent to the Flat Rock campground and the section adjacent to the road ending at the Flat rock parking area should be reviewed and reconsidered.**

1) The major draw card of the Flat Rock campground is that it is **a safe and secure site** for our children. Their ages include from three to twenty four, with the older kids assisting the Fathers to look after the younger kids. An access path cutting through or close to the Flat Rock campground will significantly erode this important benefit for the group and cause us to seriously review Flat Rock as our preferred destination of choice.

Safety is the significant draw-card for participants in the weekend. Our children enjoy the sense of freedom the weekend provides. The fathers enjoy the secure cul-de-sac ambience and casual surveillance.

It is interesting to note, in all the years our group have been coming to enjoy the Flat rock area, not one item has ever been stolen.

We believe it is possible and preferable for the track to skirt the Flat Rock campground. This would ensure the campground stays as secure as it can be in an uncertain world.

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

We strongly support the recreational path if implemented sensitively, but we believe the route should bypass the campground, incorporate the good work of the informal path already implemented, and further enhance the presentation of the natural beauty of the area.

If any of this submission is ambiguous in relation to the suggested route of the path, we are happy to travel down and meet with council officers.

Sincerely
Martin Jackson
The Walt Weekend Spokesperson
0402 469 152

2013 Walt's Weekend Group Members

Parent	Children	Address	Contact
Peter Aubort	Jack Noah Kai Poppy	Currumbin Valley QLD	0419 320 319 paconsulting@me.com
Rob Bare	Sari Raeka	Currumbin Valley QLD	0755202199 rob@randb.com.au
Martin Jackson	Max Mali Makaio	Currumbin Valley	0402 469 152
Rob Cinelli	Matthew Bradley	Palm Beach Qld	0407 212 100 rob@cbpb.com.au
Andy Kidd	Kailash Scarlett	Tomewin, NSW	0432214051 heremoth@gmail.com
Jeff Licence	Asher Mia	Tugun, Qld	0755210514 jeff@tigermonkeyproducts.com
Pete Crossley	Angus Grace Matthew	Burleigh Heads, Qld	0416289078 pete@fotomedia.com.au
Trey Lowsley	Odin Tormaigh	Currumbin Waters, Qld	0419590746 waltcamp@lowsley.org
Greg Smith	Lewis Will	Kingscliff, NSW	0414279686 greg.smith@raytheon.com.au
Rex Middleton	Cain	Stanthorpe Qld	0460114233 rexm2@live.com
Allan Mourad	Liam Archie Lucy	Currumbin Valley, Qld	0402751865 allan@thewellnesclub.com.au
Colin Bear	X 2 children	Brisbane, Qld	0409540221 colin.bear1@gmail.com
Chris Walton (Deceased)	Fin	Currumbin Valley, Qld	C/- Rob Cinelli
Eric Pearson	Jordan Kirra Hugo	Currumbin, Qld	0409380487 eric_j_pearson@hotmail.com
Justin Livesay	Adam	Currumbin Valley, Qld	0420297294 justin@uvnatural.com
Tim Baker	Vivi Alex	Currumbin	
Phil Treby	X 4 children	Currumbin Valley, Qld	0418756937 burrow174@tpg.com.au
Paul Cook	X 2 children	Tugun, Qld	0412497460 paulcook@directionjournal.com
Shiike Vanderwerff	X 2 children	Currumbin, Qld	0410446231 shiike@shiikevanderwerff.com.au

FOR YOUR INFORMATION

Explanation of Compensatory Habitat Principles

Path widths should not be compromised as any impact is able to be reasonably and practically mitigated/off-set by the use of off-set/compensatory plantings with appropriate native endemic plant species (i.e. where any plant is required to be removed, it is to be replaced with an increased number of plants in an appropriate location at a rate of between 1:3 up to 1:10, depending upon the significance of the tree/plant that is removed). Example: apply this principle to the narrowing of the Overpass to Flat Rock shared path to 1.5 meters due the Coastal Cypress Trees etc.

Explanation of existing rights

Consideration must be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Any approval for the activity should be framed around the above. Consideration must be given to the fact that the land is **NOT** part of a National Park, but is largely within a road reserve. The land is also contained within Ballina Coastal Reserve (being Reserve No. 1010068), the purpose of which is for 'Public Recreation, **Access** and Coastal Environmental Protection' (as notified on the 13th August 2004).

The Ballina Coastal Reserve has been reserved for the following specific purposes – refer to the 'Principles of Crown land management' below, and in particular (c) and (d). The use and enjoyment of such land by the public is expressly provided for. Therefore a 2.5m shared Path is an ideal use for this land.

Reference should also be made to the 'Right of passage along public road by members of the public' below, and in particular (1) being the public entitlement.

The proposed upgrade works to the Coastal Recreational Pathway are being undertaken to upgrade and formalise the existing informal gravel track, that has a current 'public entitlement, as of right, to pass along the public road reserve (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along such a road'.

This public entitlement is fundamental to any decision making about the subject Road Reserve.

11. Principles of Crown land Management (Crown Lands Act 1989)

For the purposes of this Act, the principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,

13/43551

2013/194 + 195

Janelle Snellgrove

From: Shame Wolff [wolffies@me.com]
Sent: Friday, 26 July 2013 4:03 PM
To: Ballina Shire Council
Subject: Ballina to Lennox Head Cycleway

To the General Manager.

Dear Sir,

SHARED PATHWAY AND COASTAL RECREATIONAL PATHWAY (CRP)

I refer to Council's current proposal titled "Shared Path and Coastal Recreational Pathway".

I note that the numerous documents associated with this document were not available to view at Lennox Head Library. As a result it is difficult to comment properly on all aspects of the plan. We would be grateful if they could be provided in the future.

Shared Path

As a result of the documents not being available for inspection, many residents have not been able to view the proposed details of this Path. However, as a general matter, and based on the map provided (dated 23 May 2013) showing the location of the Shared Path, I agree the location of the planned Shared Path appears to be more or less appropriate.

For environmental and safety reasons I am particularly in favour of retaining the Shared Path as close to the road (assuming a safe distance) as possible and within the existing road reserve. However, in my view, Council may wish to consider the viability of two alternate paths (one through the Headlands subdivision and one adjacent to the road) as cyclists have warned that they are unlikely to use the Shared Path if it diverts through the Headlands Estate.

Additional points I would like to make regarding the Shared Path:

1. It would be best to construct the Shared Path in a manner which avoids any use of handrails like those used on the section from Skennars Head to Pat Moreton Lookout. Not only are they ugly but they narrow the path and make it dangerous.
2. I have corresponded with Council on many previous occasions regarding the Lennox Headland and note that in regards to where the Shared Path meets the Headland and Pat Moreton lookout, Council should adopt a landscape plan prepared by an expert which takes account of the entire Headland area.

Residents of the Shire have been awaiting the building of the cycleway for **decades**. In my view the Shared Path should be constructed as soon as possible and well before it becomes necessary to construct a the so-called "Coastal Recreation Pathway (CRP)".

Coastal Recreation Pathway 'CRP'

In my view, it will not be necessary to build a CRP for some time once the Shared Pathway is complete. The current track has been used for many years and is totally adequate for walkers. I have been walking the current 'track' an average of twice a week for more than 10 years and have no issue with the current location or surface.

If Council intends to proceed with the CRP, I believe Council should construct the Shared Path first so as to settle any remaining access issues.

11 3
DA 1914 + 195

LENNOX HEAD RESIDENTS ASSOCIATION Inc

The General Manager,
Ballina Shire Council,
PO Box 450
Ballina NSW 2478

26 July 2013

Dear Sir,

**Re: Shared Path and Coastal Recreational Pathway DA2013/194, DA2013/195
and Council Project Reference2013/0009**

Lennox Head Residents Association is pleased to note that the shared path complex has reached the stage of readiness to proceed. The Association generally accepts the proposed routes but does not feel that there is enough detail in the Coastal Recreational Pathway route to ensure that it will be both environmentally and aesthetically appropriate.

While as a concept plan it may be acceptable we believe there must be further community input in the detailed planning stages. This is not only in regard to the exact placement of the path but particularly relating to the surface materials. For instance, it is proposed that asphalt be used as a surface between Angels Beach and Sharpes Beach. This material is not suitable for hot summer conditions as it absorbs heat and in very hot conditions may melt, become sticky and therefore dangerous especially for children. It should not be used. Our members would also appreciate having some details about the composition of the gravel surfaces proposed to be used and, if essential, what type of handrails are intended.

Although specifically requested of Mr Paul Busmanis prior to our July LHRA meeting, existing artists' impressions of the visual impacts of the pathway surfaces were not presented to the Lennox Head Residents Association during the council presentation to us on 1 July.

Consequently the Association's discussion was not able to take into meaningful account the proposed visual intrusions of any of the proposed pathway surfaces. This was regrettable because much of the concern of the LHRA focuses on the surface treatments and visual impacts of the CRP. The association has been consistent in our concern for the potential of the CRP to incorporate aesthetically undesirable pathway surfaces and to create unsightly viewing platforms and raised walkways within what is still a beautiful and natural landscape, albeit a threatened natural landscape by this proposal in places. We would prefer that these visual impacts not occur or be kept to an absolute minimum by councillors.

The Association would like to draw council's attention to our recent submission "Lennox Head Residents Response to Headland Proposals", in particular sections 1, 4 and 6. In our submission our Association pointed out a number of comments that are specifically relevant to present CRP

ATTACHMENT: PREVIOUS 2013 SUBMISSION

Lennox Head Residents' Response to Proposals to Soften the Headland and Area Around Pat Morton Lookout

1. Introduction

The Association is positively supportive of any endeavour to soften the effect of changes to the surroundings of the Headland and to enhance its natural beauty. Thus in principle the Association favours a process to achieve greater harmonisation with the natural environment of Pat Morton Lookout and The Headland

However the Association has a number of concerns which comprise the following:

- 1.1 Lack of planning integration on the Headland
- 1.2 Substantive variances from the accepted Geolink Plan for the Headland
- 1.3 Disunity of colour palette and design style on the Headland
- 1.4 Obtrusive and unsympathetic Lighting
- 1.5 Grass lightness as Opposed to Concrete Weight

Below is a short commentary on these points.

2. Lack of Planning Integration on the Headland

It appears that while elements of design for the Headland are in place, nevertheless no cohesive and integrated design is apparent so that the disparate elements of cycleway, paths, parking and furnishings and concreted areas are integrated in a unified design plan.

Under these circumstances it is extremely difficult to offer specific remedial comment and only general observations are possible.

Thus the Association urges Council to provide the Community with a fully integrated design plan for the Headland which is inclusive of all elements envisaged for the Pat Morton area.

3. Substantive Variances from the Accepted Geolink Master Plan for the Headland

6. Grass Lightness as Opposed to Concrete Weight

The Association would consistently support a 'look and feel' on the Headland of natural materials and palette. We therefore favour strongly the maintenance of the grass apron in front of the car parking spaces and we urge Council to adopt best practices to enable the grass to flourish. In this respect we would anticipate that Council will take specialist advice on the most appropriate grass types and that optimum preparation by Council horticulturalists will occur to preserve the newly laid grass. In addition it is requested that in the early stage that pedestrian traffic is prevented as far as possible so that the grass is offered the optimum environment in which to thrive.

7. Conclusion

The Association is strongly supportive of all attempts to soften the Headland surroundings and is thus appreciative of Council's initiatives in this regard and the opportunity to comment on possible improvements. While the Association favours the improvements suggested it would like the proposals included in this submission to be taken into consideration. However, of key importance is the fundamental need that Council provide the community with an integrated and cohesive plan of the Headland unifying all the disparate design elements envisaged for the area.

Graham Shaw: for the Lennox Head Residents' Association

FOR YOUR INFORMATION

Explanation of Compensatory Habitat Principles

Path widths should not be compromised as any impact is able to be reasonably and practically mitigated/off-set by the use of off-set/compensatory plantings with appropriate native endemic plant species (i.e. where any plant is required to be removed, it is to be replaced with an increased number of plants in an appropriate location at a rate of between 1:3 up to 1:10, depending upon the significance of the tree/plant that is removed). Example: apply this principle to the narrowing of the Overpass to Flat Rock shared path to 1.5 meters due the Coastal Cypress Trees etc.

Explanation of existing rights

Consideration must be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Any approval for the activity should be framed around the above. Consideration must be given to the fact that the land is **NOT** part of a National Park, but is largely within a road reserve. The land is also contained within Ballina Coastal Reserve (being Reserve No. 1010068), the purpose of which is for 'Public Recreation, Access and Coastal Environmental Protection' (as notified on the 13th August 2004).

The Ballina Coastal Reserve has been reserved for the following specific purposes – refer to the 'Principles of Crown land management' below, and in particular (c) and (d). The use and enjoyment of such land by the public is expressly provided for. Therefore a 2.5m shared Path is an ideal use for this land.

Reference should also be made to the 'Right of passage along public road by members of the public' below, and in particular (1) being the public entitlement.

The proposed upgrade works to the Coastal Recreational Pathway are being undertaken to upgrade and formalise the existing informal gravel track, that has a current 'public entitlement, as of right, to pass along the public road reserve (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along such a road'.

This public entitlement is fundamental to any decision making about the subject Road Reserve.

11. Principles of Crown land Management (Crown Lands Act 1989)

For the purposes of this Act, the principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,

13/43591

PT 5
201311942195
Registered 29/09

Alan Rich
543 The Coast Road
Lennox Head NSW 2478

The General Manager and Councillors
Ballina Shire Council
Via e-mail

Shared Path and Coastal Recreational Pathway DA2013/194, DA2013/195

Dear General Manager, Dear Councillors,

This is a submission in SUPPORT of the Coast Road Shared Path, CRP and Skennars Head cycleway which includes OBJECTIONS to portions of the design elements and includes SUGGESTIONS for additional community consultation. The comments often focus on the Boulder Beach stretch in particular but are intended to be relevant to the entirety of the CRP.

This submission has relied primarily on council's advertised documents by NSW Public Works and the REF by Blackwood Ecological Services as viewed at Council offices. My citations refer to those documents and appendices as best I could ascertain their sources.

It must unfortunately be stated at the outset that council's document organisation and presentation is very confusing, even to those experienced in assessing Ballina Shire Council documents and other professionals with whom I have discussed these matters. My apologies if my notes from the source documents were incorrectly attributed at any stage as I am not sure if there are numerous sections that might duplicate the same numbering as I have copied.

Since council was submitting a development application to itself, there is an appearance given through this process that the right hand and the left hand were combining to achieve an outcome that had been resolved by councillors as a primary objective. This is unfortunate as I am sure that councillors are committed to seeking the widest possible range of public contributions. There are steps that councillors can take to avoid the appearance of any self-serving perceptions in the future.

Councillors should give future consideration to requiring council staff, in future circumstances of council submitting a DA to itself, to prepare a plain English summary document of say 10-20 pages length for the purpose of assisting public submissions to address key components of a complex project. This may not be required at law but councillors should be acting to assist their constituency to provide informed feedback in my view, all the more so when it is the staff assessing staff submissions. It would really help the public to lodge submissions rather than to lose interest due to the difficulty of navigating the documents.

The current DA exhibition suffers from the creation of a strong impression that it was intended to discourage meaningful public participation. This arose by presenting a plethora of technical paperwork

Fencing, where it may be proposed, should be unobtrusive and reserved to prevent entry to sensitive areas like the lagoon in the centre of Boulder Beach or sensitive littoral rainforest and other vegetation. Materials should emphasise wire rather than posts or rails if they are unavoidable. I cannot envision any possible circumstance where non-indigenous plants would add any value to these landscapes. They absolutely should not be used as there are a great many indigenous plants species from which to choose.

The creation of bitumen and blue metal surfaces is inappropriate in these coastal environments. The re-surfacing of the Flat Rock car park some years ago has diminished that beach experience substantially because it is so BAREFOOT UNFRIENDLY. The use of small rocks and tar just hurts people's feet when they go to the beach. These materials should not be used under any circumstances in the CRP. It's hot and sticky in summer and painful to walk on in winter.

I hope that council would use this as an opportunity to resurface the Flat Rock car parking to an unsealed dirt surface which was much preferable to the unfortunate decision to place rocks and tar under people's feet. Otherwise resurface the Flat Rock car park area in concrete.

Boardwalks and bridges should be at the minimum amount possible due to their intrusive visual impact, but if they be deemed to be included, it is supported that their construction materials be of minimal aesthetic impact. This, however, is not to be taken as support for using those materials in the CRP. I am opposed to the hardening of one of this shire's most widely recognised prime assets, our coast's inherent natural beauty.

I am particularly concerned about the absence of design detail in the area traversing the lagoon in the centre of Boulder Beach. I am concerned about the loss of amenity and the environmental impact on the lagoon, which was too difficult for me to locate in the time it took to peruse the documentation. This should NOT INCORPORATE a viewing platform as views are available all over the area.

Section 4.1.1 (REF)

The "standards" that are discussed in the documents are unclear. No average person could make an informed comment from the material available and the way in which it was presented. I make the point that 'soft' surfaces should be the standard applied to the CRP. I support choices which allow native grasses to grow in gaps and to diminish their visual impact. Colour matching sensitivity is important to achieve.

The recommendation to use 'consolidated gravel', whatever that means, is totally contrary to the natural attributes of the coastal experience. All walking paths should be constructed to a BAREFOOT FRIENDLY standard. These are BEACHES, NOT ROADS. Shoes are not the design standard to apply to these beachside areas.

A maximum path width of 2.0 metres is not supported. It is submitted that the maximum path width should be 1.5 metres.

the foredune. For that matter, I believe it was quite misguided for council to allow the post and wire construction along the foredune that pathway that now exists.

These exceptionally beautiful natural areas should be retained with an emphasis on the amenity of their natural beauty. This is not sufficiently respected in the advertised CRP routes and details.

Section 4.2.4 (REF)

Signage is visually intrusive and should be placed non-intrusively and sparingly. This is the heritage that Ballina Shire residents enjoy. It should not be treated as a school education excursion with interruptions of the scenery and landscape for information plaques.

Path construction methodology should not be "left" to the contractor. Construction design should be further PUBLICLY EXHIBITED and determined by council prior to works commencing.

Plates 4-1 and 4-2 (REF)

These plates of the 'Existing informal paths along the CRP route alignment' are non-obtrusive and demonstrate how council should attempt to construct the majority of the CRP alignment. The path has operated successfully for many years with the existing simple surface shown in these photos. No further hardening or visual intrusion is desirable along the CRP route in the view of many people, myself included.

Sheets 8, 9 and 10 of 11 (GHD)

The artists' impression of a viewing platform in the middle of Boulder Beach is highly intrusive visually and should be eliminated on amenity grounds. It does NOT BELONG there. Also it serves little purpose with natural headland outlooks abundant across this short stretch of beach. In other words, it is unnecessary.

The two artists' impressions of the 'shared path at grade' in both crushed gravel and paving blocks both appear to be extremely visually intrusive. This coastal scenery was deemed to be of great public importance at least since council's consultancy report, "The Tall Buildings Study", was presented 31 years ago in 1982. Lower visual impact materials must be used if the council values the amenity of this section of the coast.

This is one of the most disappointing aspects of the CRP route. There are 2 of the 3 routes that can be successfully hard surfaced. Please do not make the mistake of turning the CRP into a NSW coastal eyesore.

It is important to note that these sheets of artists' impressions were very difficult to find amongst the three volumes of documents. Paul Busmanis was able to accept the invitation I extended to him on behalf of the Lennox Head Residents Association to speak to the July meeting. When I invited Paul I specifically asked him to locate and to bring any artists' impressions that may have been created.

This information was apparently SO DIFFICULT to access that Mr Busmanis was not able to locate any artists' impressions to show to the LHRA meeting.

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

- The south facing flank of Lennox Headland is the most visually prominent portion of the CRP route and should remain as absolutely informal as possible to blend in with the natural landscape.
- There should be a minimalist approach to structures in all scenically prominent areas.
- There exists a large portion of the public who wish to have Ballina Shire's most outstanding natural assets remain in a substantially unspoiled natural state. This amenity is every bit as important as the needs of any other various user groups as well as for those of us who seek to bequeath our great natural assets to future generations; eg intergenerational equity. The advertised documents do not sufficiently respect this heritage.
- The amendments suggested by this submission should be incorporated and implemented by councillors in the adopted plan.

Thank you for your consideration of these widely concerning matters.

Yours in good government,
Alan Rich BA BAppSc Hons (Coastal Management)

13/43588

PT 5

Registered 29/7/13

Dear Sirs

Please accept the attached submission from Ballina Coastcare in relation to the Ballina to Lennox Coastal Pathway

Thank You

Neil Denison

President

Ballina Coastcare

RE: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

Ballina Coastcare appreciates the opportunity to comment on the exhibited Review of Environmental Factors (REF) for the proposed Ballina to Lennox Head Coastal Recreational Path as publicly exhibited by Council. This group's area of interest is focused on the coastal area and adjacent littoral zone from Black Head in the south to Sharpes Creek in the north, and as such our comments and feedback relate primarily to this section of the proposal.

In general, we advise that we are satisfied overall with the level of assessment and investigation undertaken in relation to the current proposal. This group accepts the general location of the proposed recreational pathway, however upon review of the information contained in the REF, we wish to raise several points of concern that we believe can and should be addressed through the further assessment and subsequent approval of the proposal.

In Section 4 of the REF (Scope of Proposed Works) it is stated in subsection 4.1.2 that the proposed path between Angels Beach South and Sharpes Creek will consist of either 2.5 metre wide asphalt or raised timber boardwalk (no width specified). It further states under subsection 4.2.2 (Ground Preparation) that the width of construction disturbance for the construction of the path is expected to be 3.5 metres and up to 5 metres in some locations. It does not specify, however, where these variances will occur. This group is concerned at the possible unnecessary level of disturbance to the significant and sensitive coastal vegetation communities through which the proposed path passes, particularly given the ambiguity of the area of disturbance referenced above.

Later in the REF in Section 5 (Environmental Assessment – Physical Environment) where flora and fauna impacts are addressed (subsection 5.5.4) it is stated that south of the Flat Rock Tent Park there will be a construction corridor of 3.6 metres. This width is also stated in Table 5-4 (under Ch 740-1330). This appears to be inconsistent and possibly conflicting with the widths specified in Section 4.

Ballina Coastcare requests that further consideration be given to the expected and allowable area of disturbance to vegetation through the above corridor and that a clear delineated maximum width of disturbance be specified in the conditions of approval and subsequently implemented in the proposed Construction Environmental Management Plan (CEMP). While it is understood there will be a certain level of disturbance to allow for the construction of the boardwalk and path, we consider the proposed widths of 3.6 metres and possibly up to 5 metres to be excessive and unnecessary.

We note that in Section 4 of the REF (Scope of Proposed Works) it is proposed that a Construction Environmental Management Plan (CEMP) is to be prepared by the contractor who will undertake the works following its approval. This CEMP will address the mitigation measures based on the impacts anticipated following the final design. It would appear that based on this, the majority of mitigation measures have been deferred. This is understood given that the final design and specifications for the path have yet to be completed and that the design and location of the path will be flexible. Our group supports this position and hopes that this outcome will result in limiting vegetation disturbance and allow for the design to adapt to the existing environment.

FOR YOUR INFORMATION

Explanation of Compensatory Habitat Principles

Path widths should not be compromised as any impact is able to be reasonably and practically mitigated/off-set by the use of off-set/compensatory plantings with appropriate native endemic plant species (i.e. where any plant is required to be removed, it is to be replaced with an increased number of plants in an appropriate location at a rate of between 1:3 up to 1:10, depending upon the significance of the tree/plant that is removed). Example: apply this principle to the narrowing of the Overpass to Flat Rock shared path to 1.5 meters due the Coastal Cypress Trees etc.

Explanation of existing rights

Consideration must be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown land management.

Any approval for the activity should be framed around the above. Consideration must be given to the fact that the land is **NOT** part of a National Park, but is largely within a road reserve. The land is also contained within Ballina Coastal Reserve (being Reserve No. 1010068), the purpose of which is for 'Public Recreation, **Access** and Coastal Environmental Protection' (as notified on the 13th August 2004).

The Ballina Coastal Reserve has been reserved for the following specific purposes – refer to the 'Principles of Crown land management' below, and in particular (c) and (d). The use and enjoyment of such land by the public is expressly provided for. Therefore a 2.5m shared Path is an ideal use for this land.

Reference should also be made to the 'Right of passage along public road by members of the public' below, and in particular (1) being the public entitlement.

The proposed upgrade works to the Coastal Recreational Pathway are being undertaken to upgrade and formalise the existing informal gravel track, that has a current 'public entitlement, as of right, to pass along the public road reserve (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along such a road'.

This public entitlement is fundamental to any decision making about the subject Road Reserve.

11. Principles of Crown land Management (Crown Lands Act 1989)

For the purposes of this Act, the principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,



13/4 34 68

SCANNED
26 JUL 2013
RECORDS

^{PT 10}
^{2013/190}
Kerrie Moran
4/29 Burnett St
Ballina 2478
0435379030

To Whom it May Concern

Regarding the pathway to Lennox from Angels Beach. I am a rate payer, disabled & have a heart for every one to be able to use the path.

Last year we won 10/10 support & were promised

A Sealed path 2.5 metres No steps
So every one from infancy in prams to Able
Bods on Roller Skater, Skate boards, Bicycles
Commuters, folk in wheel chairs (Automated)

or Buggys, could access the Beautiful
Seascape. The existing Nth Creek Rd is a
good option with Bridge Restored (2.5 metres)
for Bicycle Commuters just want speed
travel.

Praying & hoping you'll have integrity
to follow thru & not exclude any

13/435024
ACKNOWLEDGED

PT 3
2013/194
2013/195

J. PRATT

Submission
Ballina Council

15 P.P. P.

BALLINA

25.7.13

RE COASTAL RECREATIONAL PATH

I wish to advise that I'm not
in favour of the path

As the elderly I need it to have
no steps for the other path they should
only be built secondary

James J. Kelly
J. Pratt

RECORDS
SCANNED
28 JUL 2013
Doc No: 13143641
Batch No:

13143758

ACKNOWLEDGED

2013/194
2013/195

SUBMISSION COASTAL RECREATIONAL PATH

25.7.13.

BALLINA COUNCIL

L. JOHNSON

DEAR MR. WILKS

57 HUTLEY DRIVE
LENNOX HEAD.

IN RESPONSE TO THE ADVERTISED PROPOSAL I SUBMIT THAT I AM NOT IN FAVOUR AS PER THE PROPOSAL.

I'M HAPPY WITH THE LOCATION OF THE PATH BEING NEXT TO THE COAST, BUT NOT HAPPY THAT IT IS NARROW FROM ANGELS BEACH TO PAT MORTON.

I WOULD BE IN FAVOUR OF IT & DEFINITELY HAS NO STEPS & IT IS LEAST 3M WIDE. IT SHOULD BE COVERED WITH BITUMEN OR SIMILAR. & BE CALLED A SHARED PATH.

AS FOR ALL THESE OTHER PATHS ON THE OTHER SIDE OF THE COAST ROAD & ALONG THE COAST ROAD AS FAR TOO DANGEROUS. & NOT WARRANT THE EXPENSE.

YOURS FAITHFULLY
L. Johnson

RECORDS SCANNED
29 JUL 2013
Doc No: 13143642
Batch No:

12/4/16

PT 5

Janelle Snellgrove

From: Chris Hourigan (AU) [chris.hourigan@dimensiondata.com]
Sent: Friday, 19 July 2013 4:10 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

I cannot express enough my protest and rejection to the proposal under PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path.

We are regular visitors to the Ballina area from Queensland. We camp in the Flat Rock tent park, along the fence line where the path is planned. We have camped in the tent park for the past eight consecutive years. We know the area well and see no reason for a pathway along the camp ground boundary or through the native beach forefront and dunes. This proposal cannot be approved.

If this proposal goes ahead the serenity and peaceful camp sites along the fence line will be lost.

We will no longer come to this area for our annual holiday and reduce our other visits to the park and the area throughout the year.

Yours sincerely,

Chris Hourigan

PT 5
2013/1174
2013/1195

The General Manager
Ballina Shire Council
Cnr Cherry & Tamar Streets
Ballina NSW 2478

19 July 2013

Dear sir,

Coastal Recreational Path

I wish to object to the proposed coastal recreational path currently on exhibition at Ballina Council Chambers for the following reasons:

1. The section through the Headlands Estate and along North Creek Road is an excellent concept. However, it primarily services the residents of those specific areas and has little relevance to the Coastal Recreational Path. It should be considered as a separate, less critical project.
2. The section along the roadway has little recreational merit. Usage will be minimal because it is a sterile roadway environment and does not have great scenic attraction. The detour up and around the Headlands Estate is almost inane. Dedicated cyclists will treat it with disdain and use the roadway, as they do elsewhere. Therefore, I have a strong suspicion that the concept was devised as a compromise to appease environmental groups.
3. I believe that the best solution is a compliant shared cycleway/walkway for the full distance between Ballina and Lennox Head, generally following the coastline. I am aware that environmental groups oppose this concept because it will impinge on the pristine nature of the magnificent, scenic coastline. I greatly admire the work that these groups do to protect and maintain the environment and, as a bush walker, am very sympathetic with their objectives. I believe that we should all feel greatly indebted to them and that consideration should be weighted in their favour. However, because of the proximity of large residential areas, I have reluctantly come to the view that Utopian ideals must yield a little to a solution that will be of the greatest benefit to the most number of people.

I have submitted the above text to the Advocate newspaper for inclusion as a "letter to the editor".

Yours sincerely

H. T. (Bert) Carter

<p>RECORDS SCANNED</p> <p>22 JUL 2013</p> <p>Doc No.13/4205</p> <p>Batch No.</p>
--

PT 5
13/43458

coastal path

Inbox x

debbie ivan <divanse@gmail.com>
to council

Jul 22 (3 days ago) ☆

To whom this may concern,

We've been coming to Flat Rock for over 20 years as a family, as part of a religious group and family reunion group. We have seen a lot of progress over the years and love the way the park has run and the relaxed atmosphere with plenty of room for groups to enjoy. If your plan of a 4 metre pathway through the area that is most popular for camping, would be a devastation to all who enjoy the use of this area. It would wreck the beauty of the park, so we strongly disapprove of this idea as would a lot of others. Lets keep our tent park campers happy.. thanks for taking this into consideration.

Kind regards

Mrs D.Ivan

Jul 22 (3 days ago) ☆

Mail Delivery Subsystem

Delivery to the following recipient failed permanently: council@ballina.nsw...

Part V

Janelle Snellgrove

13/4/2015

From: Andy Kidd [heremoth@gmail.com]
Sent: Monday, 22 July 2013 12:38 PM
To: Ballina Shire Council
Subject: Ref: PT 5 2013/0009Ballina to Lennox Head Coastal Recreational Pathway

Dear Councillors,

Greetings. I am a father of primary school age children who camp every year at Flat Rock camp ground. I am concerned at the plan to place a path throughout the camp site as we enjoy this venue for its safety. Therefore **I request that you consider having the path skirt around the camp grounds** so that generations of children can continue to play freely.

With best wishes,
Andy Kidd

heremoth@gmail.com
+61.432-214051
www.andykidd.org

13/4/2010

PT 5

Janelle Snellgrove

From: Blair Luckman [blairl@linkbusiness.com.au]
Sent: Monday, 22 July 2013 4:13 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To Whom it may concern,

I object to the recreational path being built through Flat Rock tent park.

Building the path in the current proposed site/path will adversely affect the tent park with increase traffic numbers (non park users), reduce the size of the camping grounds & increase security concerns for the park users.

Please reconsider the current proposed pathway & consider a revised pathway that doesn't impact the existing tent park & environmental concerns building a path so close to the sand dunes/beach frontage.

Regards,

Blair Luckman
Co-Director & Business Broker



The authority on selling businesses

LINK Brisbane

P: 07 3831 2300

F: 07 3831 2311

M: 0433 227 997

blairl@linkbusiness.com.au

www.linkbusiness.com.au

466 Boundary Street, Spring Hill QLD 4000

PO Box 43, Spring Hill QLD 4004 Australia

DISCLAIMER: To the maximum extent permitted by law, Action Business Brokers Pty Ltd is not liable (including in respect of negligence) for viruses or other defects or for changes made to this email or to any attachments. Before opening or using attachments, check them for viruses and other defects. The information contained in this document is confidential to the addressee and is not the view nor the official policy of Action Business Brokers Pty Ltd trading as LINK Brisbane.

13/4/2013

Janelle Snellgrove

From: Ken Hastie [gg14@iprimus.com.au]
Sent: Monday, 22 July 2013 2:59 PM
To: Ballina Shire Council
Cc: info@flatrockcamping.com.au TentPark; POLS Pols; barry chuter; Barry (Texas Baz) Mollan; Cam Jones; BROOKS James; Tony (Gibbo) Gibson; Rob Wolfe; Graham Bendeich
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

I have heard the Council intends placing the proposed path mentioned above within the boundaries of the Flat Rock Tent Park! Below is the info provided to me regarding how this proposal will encroach on the camping sites:

This path will running on the inside of the Eastern fence line, beach side of the park effecting beach side sites, 34 to 43.

The path will be asphalt and be 2.5 metres wide This could take about 4.5 meters of each site along the fence.

As an annual camper who uses some of these sites on the Eastern fence line for our annual "Away Weekend", I/we would like to object to any walking path that will reduce the size of any of the camp sites.

As an alternative, my I suggest that the proposed walk way be placed on land outside the fence line of the Camp Park.

Ken Hastie
Camper
Treasurer, MNM Boardriders Club Inc

PS, our club usually has around 16 camp sites during this family event

PT5

13/02/19

Janelle Snellgrove

From: Katie Parkinson [katie.parkinson@jagod.com.au]
Sent: Tuesday, 23 July 2013 10:59 AM
To: Ballina Shire Council
Subject: RE: Application : PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To Whom It May Concern,

I write to voice my objection to the above application to put an asphalt recreation path on the inside of the Eastern fence line, beachside of Flat Rock Tent Park. This path will not only affect the size of at least 2 sites but will also encourage noise etc due to scooters, bikes, skates being used on the path.

May I suggest an alternative?

Perhaps the path could go into the bush and not be asphalted, instead to be made of a material that will not encourage the use of "wheeled transport" rather than two feet and a heartbeat!

Thank you for your consideration in this matter.

Kind Regards

Katie Parkinson

13 | 42 447 PT 5

Robyn Gutter

From: Eric Pearson [eric_j_pearson@hotmail.com]
Sent: Tuesday, 23 July 2013 12:47 PM
To: Ballina Shire Council
Subject: Ref: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Pathway

To Whom it may concern

I would like to voice my concern at the proposed pathway which will cut through the front on flatrock camp site. As a regular camper there for the past 10 years, it would be a travesty to see this go ahead, we as a family feel it would severely impact on the seclusion of the site and impact on the environmental sensitivity of the area.

We love the campsite as our 4 children can wonder in relative safety which would certainly be compromised if a path flowed straight through the site.

I'm also part of a group of 30 plus fathers and 60 children who camp here for a long weekend every May, the path would not only jeopardise our continuation but also cut out the exact sites that we book yearly.

Could I please get a confirmation reply that this e-mail was received.

Best Regards
Eric Pearson

Pt V

13|42490

Robyn Gutter

From: DOWKER Bree [bdowk1@eq.edu.au]
Sent: Tuesday, 23 July 2013 2:13 PM
To: Ballina Shire Council
Subject: RE: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To Whom it May Concern,

RE: Reference to application is **PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path**

We are regular campers at the Flat Rock Tent Park and are **very** concerned with the proposal to construct a "recreational" path along the front foreshore tent sites.

I have been camping at Flat Rock for 21 years and now I am married and have children of my own. We love our time at Flat Rock and this is testament to how long we have been camping there.

The size of our sites have **dramatically** decreased over the years and the construction of this path will only impact on this further!!!!

We also worry of this safety and theft issues this will create – who wants to camp with thorough fare and non-campers walking directly in front of our usually quiet and private sites!??? This alone could potentially drive us away from continuing our beloved camping trips to Flat Rock.

There are plenty of families with young children who also camp along the fore shore with us, and this potential path concerns us – we will be on constant edge worrying about bikes possibly collecting and hitting children should they wander onto the track!!

There is already a recreational path through the bush along East Ballina that exits at the tent park – why can this not remain the path? The dunes do not need to endure unnecessary destruction either. Surely 'dune care' would not be happy with this proposal either!!

I ask that you please take these issues into consideration. Flat Rock is such beautiful park – please keep it this way!

Regards,

Bree Dowker – an avid (concerned) camper

13/42540

Pt ✓

Robyn Gutter

From: Robert Cinelli [robert@cbpb.com.au]
Sent: Tuesday, 23 July 2013 2:33 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Pathway

Dear Councillors

I have recently discovered there is an application before council to construct a recreational pathway from Ballina to Lennox Headland. Whilst this is a reasonable lotion and would most likely benefit many locals and visitors alike, I am concerned about the impact it may have upon a number of camp sites at the Flat Rock Camping Grounds.

We have been advised the proposed pathway is earmarked to run directly through the camp sites numbered 34 to 41 inclusive. The construction of a pathway anywhere in this camping ground will no doubt significantly alter the available number of sites, the privacy for users of the park and for the general amenity.

We have been enjoying the camping ground for over 10 years with my family once or twice each year and separately with a group of over 22 fathers - and our collective children numbering well above 40 - annually. This park - and specifically the exact camp sites that have been earmarked for pathway construction - has been as much a part of our children's upbringing as their own home has been. The park has become a hugely significant part of our lives. Our passion for the camp site - along with the privacy, peace and quiet - cannot be understated. As parents, we find the bush backdrop provides a comforting security screen that allows our children to run freely through the park under our watchful eye.

It is our view that a pathway constructed along this area would significantly change the whole look, feel and use of the park; so much so, that we will seriously re-consider our future visits.

However, we do feel there are alternate routes for the pathway to take. There is a particularly appealing natural pathway that has already been constructed in such a way to control the foot traffic through the natural vegetation. This has become a very special walkway that, if integrated as part of the overall new pathway development, would provide low impact and maximum appeal.

Thank you for considering our views on this matter.

ROBERT CINELLI

Robyn Gutter

13/42542

P+ ✓

From: Martin Fairweather [mfairweather@stmichaels.qld.edu.au]
Sent: Tuesday, 23 July 2013 2:49 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

I would like to lodge an objection to the proposed path, in that it is to be situated within the Flat Rock Tent Park. My family regularly visits the tent park and like many others, these particular sites are often those that are sought out.

I believe that this path presents two major problems, with the first being the fact that many of the most preferred sites in the park will be affected with a large portion of these areas being reclaimed for the purpose of the path.

Secondly, it is being located within the dune system of the coastal environment, one which due to environmental conditions is always in constant flux, and cannot be relied up not to change and have a negative effect on the pathway itself.

I believe that a more appropriate position for the path would be to circuit around the back of the tent park, thus reducing the impact on the tent park's sites and on the dune system.

I hope that this objection is carefully considered, not only for the benefit of the park and it's patrons but also the fragile coastal ecosystem.

Kind regards,
Martin Fairweather

13142626

PT 5

Janelle Snellgrove

From: Robert.Lowe@sanofi.com
Sent: Tuesday, 23 July 2013 5:40 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

I am writing to object to the current proposed positioning of the recreational path through the Flatrock Camp grounds.

Positioning the path in the middle of the campsites will have a negative effect on the popular camping sites.

I would like an alternative path to be considered running along the sand dunes east of the perimeter of the camp ground boundary.

Yours sincerely

Rob LOWE
Mobile: +61 (0)423 026 512

IMPORTANT NOTICE: This e-mail, including any attachments, may contain privileged, confidential, and/or proprietary information, and is intended only to be seen and used by the named addressee(s). If you are not the intended recipient of this e-mail, you are notified that any discussion, distribution or copying of this e-mail, and any attachments, is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately, and permanently delete the original and any copies of the e-mail, any attachments, and any printout without reading, distributing or copying them. Thank you.

13/43006

PT 5

Janelle Snellgrove

From: The Co-ordinator [haven_co@bigpond.net.au]
Sent: Thursday, 25 July 2013 9:29 AM
To: Ballina Shire Council
Subject: Bike path at Flatrock Tent Park

To whom it may concern,

My name is Amber Browne and I have been coming to the region from Queensland to camp at Flat rock for many years. We have a regular two week booking and come down to NSW on a regular basis throughout the year to visit the park and the area.

We contribute to local businesses by eating in the local area, shopping and taking part in other tourist activities. Throughout the years, through word of mouth we have brought many family members and friends from Queensland to the park who also contribute local businesses in your area.

I am writing to express my concern over the prospect of an asphalt bike track along the fence line at the back of the park.

My friends and family take up nearly the whole back row at Flat Rock Tent park overlooking the dune bush and have done so for many years. The dune bush, the peace and quiet, and the safety of the area are the main reason we all travel so far every year to the park.

My main concerns about the bike track are as follows:

- **WHS perspective:** certainly there is a danger having the bike track right next to campers. All of the campers in this area have children and I have visions of a child being hit by a bike rider or skateboarder speeding down the track. Or even an accident caused by a child running out in front of a rider.
- **Privacy:** There will be no privacy if there is a public thoroughfare at the edge of all our camp sites. We feel very uncomfortable about having no campers being able to ride past next to our sites in the middle of the night
- **Security:** One of the advantages of camping at Flat rock is that we have never had any concerns before about theft. I am concerned that with riders and skateboarders right beside our campsites, there will be a need to lock up everything.
- **CHILD SAFETY:** Am I to maintain a vigil or be a watch dog for the children and young people that camp with us. If a bike track is beside our sites, what is going to stop someone from riding by and whisking one of them away. I work in the Community Services Industry in Queensland with Department of Child Safety and hold grave concerns for the safety of children at Flat rock Tent Park, should the bike track be placed right next to our campsites. The ramifications of something like that happening would be huge.

Flat rock is a beautiful part of the coastline and should be shared. I myself would appreciate a bike path in the area. Would it be possible to put the track further down the dunes. The views would be better for the riders and they would not have to worry about small children from the campsites wandering onto their path and causing an accident. Surely there are many other alternatives in the area for a bike track.

My family and friends have loved visiting the area from Queensland for many years and had hoped to do so for many more. If this proposed asphalt bike path is built right next to all our sites, I can speak for all of us in saying that this would be the end of our visits to your area. Flatrock Tent park has been a wonderful part of our lives but I am so concerned about the risks involved with this track and its vicinity to the park, that we would not return.

If you would like any more information regarding the issues mentioned please contact me on 0409824806

Thankyou for your time

Amber Browne

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Janelle Snellgrove

13/43144

PTB

From: Maurice Ward [mauricejward@gmail.com]
Sent: Thursday, 25 July 2013 12:47 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 ballina to lennox head coastal recreational path.

Dear sir/madam,

I wish to complain about the path going through the camp area as it will be a security problem within the camp and a lose of site area on many sites. I think the path should be outside the camp boundary maybe on the beach side.

Yours
Maurice ward

13/4/3187

PT5

Janelle Snellgrove

From: Madonna Mulheran [mullies55@bigpond.com]
Sent: Thursday, 25 July 2013 1:24 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

**The Manager
Ballina Shire Council**

RE; PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

It is our understanding that Ballina Council intends to formalise the coastal track which currently passes through the Flatrock Camping Ground.

The information provided with the application is quite vague, and it is difficult to ascertain whether the track is inside or outside the boundary of the campground.

Our family has camped in the vicinity of the existing track for nearly 20 years now, and we have, on occasion, had problems with people entering the park at night and stealing from campsites.

I feel that if this track is formalised and access is improved, the situation with theft, and problems of controlling access from the track into the park will only become worse.

Flatrock campground has had a reputation for a long time as a "natural" and secluded tent park, and this is the reason that it has always been popular and why campers return there over long periods of time.

I fear that a more formal walking track will take away from the natural beauty of the site, and compromise the secluded nature of the camp, and the security of campers.

I do not believe the submission before Council is of sufficient detail to allow people to fully understand where the track is actually positioned, and ultimately what it's impact on the campground will be.

I believe that a "shared use" pathway is proposed near the main coastal road to the west of the campground, and believe that this new pathway, in conjunction with the existing bush track, provides sufficient access for walkers, runners and bike riders.

I believe Council should make more detailed plans available to the public for assessment, before a decision of this importance is finalised.

I would appreciate your written response to our concerns,

Yours faithfully,

**Greg and Madonna Mulheran
184 Peninsula Drive
Bilambil Heights NSW 2486**

Ph 0409-067774

13/43190

P 5

Janelle Snellgrove

From: Allan, Toni [Toni.Allan@bhpbilliton.com]
Sent: Thursday, 25 July 2013 1:22 PM
To: Ballina Shire Council
Cc: toni.allan@gmail.com
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

My name is Toni Allan and I have been coming to Flat rock for many years with my family at Xmas and throughout the year. We have a regular three week booking at Xmas to visit the park and the area.

We contribute to the community with revenue at local restaurants, bars, shopping centres and tourist activities. We feel a sense of family at flat rock with our large group of friends and their families. Throughout the years, through word of mouth we have shared our secret spot with many family members and friends who also contribute to the area.

I am writing to express my concern over the prospect of an asphalt bike track along the fence line at the back of the park.

We camp close to the area of this proposed path and take up to 8 sites between us. The dune bush, the peace and quiet, and the safety of the area are the main reason we all travel so far every year to the park. It is not interrupted by noise, unwelcome people or undesired public.

My main concerns about the bike track are as follows:

Safety perspective: A huge huge danger having the bike track right next to campers. I have children and currently leave them in the camper to sleep late or to watch a movie in the evening while the adults, while reasonably close by relax in a group away from the kids. My concerns for my children's and indeed my friends children's safety from abduction, assault or attack will be increased due to increased public presence.

CHILD Endangerment: Am I to maintain a vigil or be a watch dog for the children and young people that camp with us. This is not what I call a holiday

If you are placing an asphalt area this will bring bikes, skateboards, scooters etc which creates safety issues for my children being knocked over - currently there are NO scooters etc allowed in the park only bikes with helmets and supervision.

Privacy: There will be no privacy if there is a public thoroughfare at the edge of all our camp sites. We feel very uncomfortable about having the public being able to ride past next to our sites in the middle of the night

Security: One of the advantages of camping at Flat rock is that we have never had any concerns before about theft, there will be a need to lock up everything.

If you are clearing the bush in other areas along the proposed track why are you not clearing the area around the camp ground?

Is asphalt an eco-friendly way to go considering it is an eco-friendly park - wouldn't the material be recycled?

If council continues with this plan I will not be returning to Flat Rock with my family and I believe this endangers my children, family and friends

13/43233

PT5

Janelle Snellgrove

From: murray.mac@optusnet.com.au
Sent: Thursday, 25 July 2013 4:55 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreation Path.

To Ballina Shire,

The route of this proposed path concerns me greatly. The Flat Rock Tent Park has been the destination for myself and my family for over 30 years. We book the same tent site, for instance, at Easter every year since first going to the Park in the 70's. Over this course of time, the Park has changed considerably, and as such it has become more and more popular. To have the path way going through the Park is an outrage. The Park is quite unique for the area, as caravans are not allowed. If there is a path way being used in the Park, the amenity of campers will be reduced dramatically.

I strongly urge you to consider alternate routes outside the Park and as such wish to object strongly to the proposed route.

Yours Sincerely,

Murray McIntyre.

Email sent using Optus Webmail

13/43235

PT 5

Janelle Snellgrove

From: Sue Palmer [sueathay@hotmail.com]
Sent: Thursday, 25 July 2013 5:38 PM
To: Ballina Shire Council
Subject: Ballina to Lennox Head shared footpath PT 5 2013/0009

To Ballina Councillors,

I have today been made aware of the fact that the Ballina to Lennox Head footpath - PT 5 2013/0009 is to go THROUGH THE CAMP GROUND AT FLAT ROCK I did not believe the purveyor of this news until I was shown the information on your website. What on earth are you thinking the park is well used by families who love it for its peaceful and relaxed location where children can play in relative safety. The proposed pathway puts children in peril from a number of different sources firstly the path would have to be crossed to access the beach, if you walk the bitumen pathways that currently exist you would know that cyclists, skateboarders and scooter users have in general have no regard for pedestrians or children skipping along behaving as children should. Secondly this proposal allows anyone to access the camp ground easily and 'stranger danger' where children are concerned is a very real threat, which presently in the camp ground is minimal. Thirdly the lovely natural location seemingly away from too many modern 'structures' will be forever ruined what is wrong with the lovely bush walks that already exist in that area. The view of Flat Rock from the recently cleared little bush path out of the camp is stunning the proposed pathway goes passed the toilet block!! Good planning I think not. Why not use the existing bush pathways to better effect. It can be done. I get the feeling that if council manages to get approval for the pathway under discussion the cycleway going through Headlands estate might never eventuate (certainly will save you money), but I dread to think of how much of taxpayers money will have to be spent in compensation if a person is injured or child molested due to the negligence of council allowing this pathway to go ahead. The proposed cycleway through Headlands Estate is a good idea as it will allow children and parents the choice of riding to the many facilities located in the area ie. schools and sporting grounds etc. Lets get this one under way while considering a far more practical, safe, natural and beautiful pathway through the bush.

PLEASE lets get this right and avoid a nightmare such as North Wall has become.

Yours Sincerely,
Sue Palmer.
East Ballina.

13/43237

P5

Janelle Snellgrove

From: Nikki Collins [nikki.collins@optusnet.com.au]
Sent: Thursday, 25 July 2013 7:22 PM
To: Ballina Shire Council
Subject: eference to application is, PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

reference to application is, **PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path**

Hello

I am writing to express my objection re the above. I have been coming with my family to flat rock for many years. I would prefer and many other families that I have spoken to that the path be outside of the tent park. Even better we would love to see a foot path that we could walk a long the main road. We go for walks most days and have to walk a long the road or on the grass (which is sometimes long and at Easter had Lots of snakes sun baking) we walk south towards the surf club etc.

looking forward to a alternative solution.

Thanking nikki Collins

Nikki Collins

13/43269

PT 5

Janelle Snellgrove

From: Porkchop Promotions [sales@porkchoppromotions.com.au]
Sent: Friday, 26 July 2013 9:36 AM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern.

I am emailing in objection to council plans to build a path inside the Flat Rock Tent Park. My family and I have been camping at Flat Rock now for many years and I believe there are other more suitable alternatives.

- 1- There seems to be nothing particularly wrong with how it is currently.
- 2- Unless the rest of the path will be sealed all the way to the Sea Wall then it doesn't need to be a sealed area through the camping ground.
- 3- I believe there should be a proper footpath built along the main road from Flat Rock road south towards the roundabout.

Regards
Dean Collins

PT 5

13/43464

Janelle Snellgrove

From: Janet Preston [janet.shad@optusnet.com.au]
Sent: Friday, 26 July 2013 1:59 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

I am a Brisbane resident and my family and I camp at the Flat Rock Tent Park every year at Christmas (for 2 weeks), often over the Australia Day weekend, and sometimes at other times throughout the year. Of course, when we camp at Flat Rock, we shop in Lennox and Ballina, eat in local cafes, go to the movies and visit local attractions as well.

I understand the Ballina to Lennox Head Coastal Recreational Path is expected to travel through the tent park.

I sincerely oppose this application. I understand that it is hard enough to cover costs with the park the size that it is; removing 10 camp sites in prime position (and flat!) will only make things harder. I hate to think that the park may have to be closed as a result. We would then have to find somewhere else to spend our Christmas holidays, and nowhere else in the Ballina Shire has the same appeal.

I also object to the thought of strangers passing through the park. One of the things we love is that our children, aged 7 and 10, can move freely about the park without fear of who might be lurking.

I would much prefer to see the path travel outside the park along the western side, joining up with the existing path somewhere south of the park.

I hope you will consider this objection and not build this path through the Flat Rock Tent Park.

Warm regards,

Janet Preston
0411 098 780

PT 5
13/43467

Janelle Snellgrove

From: jbellinger72@gmail.com
Sent: Friday, 26 July 2013 2:13 PM
To: Ballina Shire Council
Subject: Proposed bike path through Flat Rock Tent Park - Objection

To whom it may concern,

I am a Brisbane resident and my family and I camp at the Flat Rock Tent Park every year at Christmas (for 2 weeks), often over the Australia Day weekend, and occasionally at other times throughout the year. Of course, when we camp at Flat Rock, we shop in Lennox and Ballina, eat in local cafes, go to the movies and visit local attractions as well.

I understand the Ballina to Lennox Head Coastal Recreational Path is expected to travel through the tent park.

I sincerely oppose this application. I understand that it is hard enough to cover costs with the park the size that it is; removing 10 camp sites in prime position (and flat!) will only make things harder. I hate to think that the park may have to be closed as a result. We would then have to find somewhere else to spend our Christmas holidays, and nowhere else in the Ballina Shire has the same appeal.

I also object to the thought of strangers passing through the park. One of the things we love is that our children, aged 7 and 10, can move freely about the park without fear of who might be lurking.

I would much prefer to see the path travel outside the park along the western side, joining up with the existing path somewhere south of the park.

I hope you will consider this objection and not build this path through the Flat Rock Tent Park.

Yours Sincerely
John Bellinger
0404 987 919

13/43602

PT 5

GENERAL RESPONSE INFORMATION

Response Start Time: 7/26/2013 4:18:00 PM Response End Time: 7/26/2013 4:35:36 PM

Completed Survey: Yes
Respondent: Anonymous

SURVEY RESPONSES

1. Name of exhibited document you want to make comment on.
PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path
2. Your name (anonymous submissions may be disregarded by Council):
Andrew Stewart
3. Phone number (optional):
[No Answer Entered]
4. Email (confirmation of your email address is required to provide feedback from Council):
asevents@live.com
5. Having read the document, is it easy to read and understand?
No
6. Please provide any suggestions for improvement.
Especially on plans the resolution is such that areas cannot be read and even by zooming in on some plans you cannot read what has been written.
7. Do you support the overall objectives and content of the document?
No
8. Please provide further comments if you wish.
I object to the proposed shared pathway. I think it will be a scar on our pristine coastline and ruin the scenic escarpment of our headlands. What is happening to the water run off from this 2.5m wide road and what will happen when this creates erosion. Where it passes next too or through private land what fencing controls will council provide, having noted the screening mentioned for where it passes councils tent park at Flat Rock. What litter and cleaning controls will council put in place. What WHS assessments been done and what liability will council have in regards to attacks in isolated areas?
9. If you wish your feedback to remain confidential please provide reasons for this.
[No Answer Entered]

PT 5

13/43472

Janelle Snellgrove

From: Janet B [janetcbell@gmail.com]
Sent: Friday, 26 July 2013 2:20 PM
To: Ballina Shire Council
Subject: Flat Rock bike path proposal

Please do not put a bike path through Flat Rock tent park. Please make it outside the park somehow as it will not be safe for our children to play freely in the park anymore with bikes flying past. We camp there every year (from Brisbane).

Janet Bellinger
23 Epworth St
Oxley Q 4075
0421336919

PT 5
13/43503

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

26th July 2013

re: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path (CRP)

I wish to object to the CRP passing through Flat Rock Tent Park. I often walk through the bush track and currently do casual work at the Park. I often chat to campers who absolutely love this unique Tent Park.

I am against the CRP because of the impact it will have on the campers who currently enjoy a relaxing stay in a bush setting away from the hustle and bustle.

I believe Campers should continue to enjoy their holiday at Flat Rock Tent Park as it is and enjoy the security, privacy, and relaxing atmosphere it offers. I also believe that people should be able to enjoy a Recreational Path from Ballina to Lennox HeadBUT I do not believe that either should infringe upon or cause a detrimental effect on the other. They should be separate attractions to the Ballina Shire.

Yours sincerely

Garry Beresford
98 Compton Drive
EAST BALLINA NSW 2478

13/43505

Janelle Snellgrove

From: shad.sears@au.ey.com
Sent: Friday, 26 July 2013 3:12 PM
To: Ballina Shire Council
Subject: Flat Rock bike path - opposition

To whom it may concern,

Council

I am a Brisbane resident and my family and I camp at the Flat Rock Tent Park every year at Christmas (for 2 weeks), often over the Australia Day weekend, and occasionally at other times throughout the year. Of course, when we camp at Flat Rock, we shop in Lennox and Ballina, eat in local cafes, go to the movies and visit local attractions as well.

I understand the Ballina to Lennox Head Coastal Recreational Path is expected to travel through the tent park.

I sincerely oppose this application. I understand that it is hard enough to cover costs with the park the size that it is; removing 10 camp sites in prime position (and flat!) will only make things harder. I hate to think that the park may have to be closed as a result. We would then have to find somewhere else to spend our Christmas holidays, and nowhere else in the Ballina Shire has the same appeal.

I also object to the thought of strangers passing through the park. One of the things we love is that our children, aged 7 and 10, can move freely about the park without fear of who might be lurking.

I would much prefer to see the path travel outside the park along the western side, joining up with the existing path somewhere south of the park.

I hope you will consider this objection and not build this path through the Flat Rock Tent Park.

Warm regards,
Shad Sears

Janelle Snellgrove

From: pascoep@optusnet.com.au
Sent: Friday, 26 July 2013 3:48 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

I was recently made aware of an application to put a path through Flat Rock tent park.

I am a Brisbane resident and my family and I plus many friends camp at the Flat Rock Tent Park every year at Christmas (for 3 weeks), often over the Australia Day weekend, and occasionally at other times throughout the year. Of course, when we camp at Flat Rock, we shop in Lennox and Ballina, eat in local cafes, go to the movies and visit local attractions as well. Christmas presents are purchased in local towns as well.

I understand the Ballina to Lennox Head Coastal Recreational Path is expected to travel through the tent park.

I sincerely oppose this application. I understand that it is hard enough to cover costs with the park the size that it is; removing 10 camp sites in prime position (and flat!) will only make things harder. I hate to think that the park may have to be closed as a result. We would then have to find somewhere else to spend our Christmas holidays, and nowhere else in the Ballina Shire has the same appeal.

I also object to the thought of strangers passing through the park. One of the things we love about camping is that our children, aged 10 and 14, can move freely about the park without fear of who might be lurking.

I would much prefer to see the path travel outside the park along the western side, joining up with the existing path somewhere south of the park.

I hope you will consider this objection and not build this path through the Flat Rock Tent Park.

Yours sincerely

Petrice Pascoe

13/43533

PT5

Janelle Snellgrove

From: Paul Pascoe [paul.pascoe@griffithuni.edu.au]
Sent: Friday, 26 July 2013 3:55 PM
To: Ballina Shire Council
Subject: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

I am a Brisbane resident and my family and I camp at the Flat Rock Tent Park every year at Christmas (for 3 weeks), often over the Australia Day weekend, and occasionally at other times throughout the year. Of course, when we camp at Flat Rock, we shop in Lennox and Ballina, eat in local cafes, go to the movies and visit local attractions as well as purchasing all the children's Christmas presents in the local towns.

I understand the Ballina to Lennox Head Coastal Recreational Path is expected to travel through the tent park.

I sincerely oppose this application. I understand that it is hard enough to cover costs with the park the size that it is; removing 10 camp sites in prime position (and flat!) will only make things harder. I hate to think that the park may have to be closed as a result. We would then have to find somewhere else to spend our Christmas holidays, and nowhere else in the Ballina Shire has the same appeal.

I also object to the thought of strangers passing through the park. One of the things we love about camping at Flat Rock is that our children, aged 10 and 14, can move freely about the park without fear of who might be lurking.

I would much prefer to see the path travel outside the park along the western side, joining up with the existing path somewhere south of the park.

I hope you will consider this objection and not build this path through the Flat Rock Tent Park.

Thank you for reading this objection letter,

yours sincerely

Paul Pascoe

TRIM # 13/43621.

175.

Robyn Gutter

From: Janeane Burke on behalf of Ballina Shire Council
Sent: Friday, 26 July 2013 3:46 PM
To: Development and Environmental Health Group Support Staff
Subject: FW: Questions re Planned Pathway through Flat Rock Tent Park

From: Meredith Mancini [<mailto:absolutelybeach@gmail.com>]
Sent: Friday, 26 July 2013 3:20 PM
To: Ballina Shire Council
Subject: Planned Pathway through Flat Rock Tent Park

To whom it may concern

I was told recently tat the planned pathway on the coast will be running straight through the Flat Rock Tent Park. I would just like to know if this is true or is this still up for consideration?

It would seem rather absurd to run a public pathway which would also be used for bikes and skateboards, to run right through camping families with small children. Would this not create a safety threat to the very young and elderly who were staying there on holiday? Not to mention enormous privacy issues.

Surely there would be a more sensible solution to join up to the existing pathway other than to ruin somebody's holiday pleasure, not to mention the downturn in business this would create for the managers of this camping facility.

Your clarification on the subject would be greatly appreciated so I may then have the correct knowledge regarding this proposal and can then pass it on to other concerned residents.

Thanking you for your help.

Meredith Mancini
Lennox Head.

Acknowledged by email.
13/44042.
30/7/13.
Ry.

13143594

PT5

Janelle Snellgrove

From: Scott Lister [scott.lister1@hotmail.com]
Sent: Saturday, 27 July 2013 3:36 PM
To: Ballina Shire Council
Subject: Objection to Path at Flatrock Tent Park

Re: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

It's come to my attention that council is considering an application to run a pathway through flatrock tent park. As a former resident of the Lennox Head /Ballina area it concerns me that council would consider this pathway. My family and I are now regular tourist visitors to the area usually and intend on camping within sites at flatrock tent park in the 2013 September school holidays with my family and my two brothers families a total of 14 people staying at the park.

We chose the flatrock tent park site because of the location and the park is one of the best on the coast with a true camping experience provided while also catering for the needs of our young kids in a safe environment. I would ask that council seriously consider rejecting the application in its current form so as not to impact on the camping sites with flatrock tent park and move the intended route to go around or via the park.

If council were to go ahead with the application in its current plan we would reconsider camping within the area and visiting for school holidays etc and plan to go elsewhere as we regularly choose the sites at the front of the camping ground that would be impacted.

Please accept my objection in good faith.

Regards,

Scott Lister

PT 2
2013/194
2013/195



ALAN BROWN
000

4 Mary Street, Ballina
NSW 2478
Phone (02) 6686 8388

**The General Manager,
Ballina Shire Council.P O BOX 450,
BALLINA 2478.**

**RE: DEVELOPMENT APPLICATIONS FOR COASTAL RECREATIONAL
PATHWAY ON EASTERN SIDE OF THE COAST ROAD AND SHARED
COMUTER PATHWAY ON WESTERN SIDE OF THE COAST ROAD.**

Dear Sir,

I am thoroughly disgusted with the manner by which the Coastal Recreational Path has now been put forwards as a publicly displayed Development Application document.

In the first place it would appear that a 'shared pathway' on the western side of the Coast Road, is now receiving priority as opposed to the recreational pathway the route of which was the subject of long and serious discussion of many years for it to be constructed on the eastern side of the Coast Road between the car park at Pat Morton look-out and the underpass at Angels Beach. I believe that it was resolved to construct the Coastal Recreational Path (CRP) to a standard which would accommodate walkers, joggers, recreational cyclists, wheel chairs, strollers and other equipment used by children to appreciate the views which were available whilst traversing the CRP.

It now appears that a 'shared path' is to be constructed and believed by senior staff of this council to be rushed forward on the pretence that a thoroughfare is required to accommodate those who wish to travel between East Ballina and Lennox Head, should now have priority over the long awaited and planned CRP. The 'shared pathway' has only recently been suggested to accommodate those mentioned above but it certainly is contrary to the principles set at previous meetings of Ballina Shire Council over a long period.

It would appear that the senior staff has seen fit to accept Ballina Environment Society's whims and wishes contained in a letter to you, the mayor and all councillors dated 23 January 2012 and purporting to be from the then president Dr. Lyn Walker. In this letter it would appear the Ballina Environment Society (BES) was extremely dissatisfied with a so called agreement council had with BES in the construction of two pathways with "equal priority understanding".

- 2 -

It was my understanding that the standard of the CRP was to of the standard to accommodate all the people mentioned above who wished to use it, however it now appears that the shared pathway on the western side of the Coast Road is to have priority and built at a exorbitant cost and the CRP is to only remain as it presently is, just a goat track. The CRP path should retain priority and built to the standard as was last approved to accommodate those already described above.

It is clear now that the advertised 'pathways' have satisfied the wishes of the BES and the previous efforts of the majority of the community have been completely ignored by whom ever put together the proposal as presented.

I would suggest that this Development Application as presented be withdrawn and the plans as outlined in the latest of the resolutions of this council concerning the CTP and its construction of the resolved standards be advertised, so that the majority of this community be allowed to understand and accept the expected resolutions of our council.

Yours sincerely,


Alan Brown.

13147132

PI 5
2013/194-5

Janelle Snellgrove

From: Troy Anderson [t.anderson2478@gmail.com]
Sent: Friday, 9 August 2013 5:04 PM
To: Ballina Shire Council
Subject: Shared path or cycleway

To whom it may concern

I Troy Anderson, wish to make a formal submission to the proposed cycleway from Ballina to Byron Bay. I have been heavily involved in the proposal since 2000, and believe that much has been dismissed since prior court proceedings. My understanding of prior outcomes was in favour of Doug Anderson Local Bungalung And Numbaging Elder, and his wishes was for the pathway to extend along the western side of coast road along the entire coast of our country.

I would also wish to address the Macdonald Report done on behave of Ballina Shire Council, as I find it insulting and distasteful to say the least. You BSC have an obligation to resolve these issues, so I demand the right to reply to untrue allegations made against my character.

Troy Anderson Spokepersons, John Cook Foundation And Numbaging Native Title Group.

13/47136

PT5

Janelle Snellgrove

From: Francoise Lowe [francoise.arcachon@bigpond.com]
Sent: Sunday, 11 August 2013 8:39 AM
To: Ballina Shire Council
Subject: objection to path

Reference to application : PT5 20113/0009 Ballina to Lennox Head Coastal Recreational Path

To whom it may concern,

We have been coming to Flat Rock tent park for 20 years we saw a lot of changes during these years and now our children and grand children are joining us.
New amenities which was very welcome .
We love the friendliness and enjoy the tranquility and safety of the park.
We feel the path will be a big mistake as it will bring strangers to the park.

- (1) security wise anybody can walk through your camp site .Will you employ a security guard for the safety of the campers.
- (2) the facts that people come to Flat rock to enjoy the wilderness of the National park and tranquility .
- (3) it will bring more erosion to the bush land We think the path is already there going through the park in the middle where everybody can see who is going through and there is no hiding !

Regards
Francoise Lowe

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Robyn Gutter

From: Ballina Shire Council
Sent: Monday, 2 September 2013 3:31 PM
To: Robyn Gutter
Subject: FW: Cycleway Between Boulders and Pat Morten Lookout
Attachments: sound of music moment.pdf; ATT00001.htm

From: Melitta Firth [<mailto:melitta.firth@gmail.com>]
Sent: Wednesday, 21 August 2013 10:18 AM
To: Ballina Shire Council
Subject: Cycleway Between Boulders and Pat Morten Lookout

To whom it may concern,

Please find attached a Letter commenting on the above mentioned path. I hope all voices will be considered.

Kind Regards

Melitta Firth

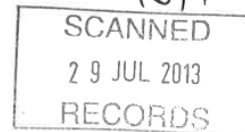
www.melittafirth.com

m: 0412 954 656

P. O. Box 48
Ballina, NSW
2478

26 July 2013

Rod Willis
Regulatory Services Group Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Sir,
Re: Coastal Recreational Path Consent Application; Crown Reserve 1010068,
Crown Public Road and Lot 59 DP827785

I have completed a review of the broader public needs and interests concerning the Coastal Recreational Path and am pleased to submit the enclosed submission /requirements for your review and protection of the greater public interest.

Should an element be missing or you would like to explore any of the options, please feel free to contact me.

Generally I support the Consent Application for the Coastal Recreational Path (CRP), provided that due consideration is given to the fact that any member of the public is currently entitled to physically or as of legal right, pass along the full length of the public road reserve (whether on foot, in a vehicle or otherwise) and so any Coastal Recreational path proposal, must be for **any** member of the public to pass along the **full length** of the public road reserve, and on a path of an **appropriate 'shared path standard' (minimum 2.5m width), alignment and surfaces**. Anything less, would be not be protecting the public interest or current entitlement over the land.

Also consideration must be given to the fact that the subject land is **NOT** part of a National Park, but is largely with in the road reserve. The subject land is also contained within Reserve No. 1010068, the purpose of which is for '**Public Recreation, Access** and Coastal Environmental Protection', as notified on the 13th August 2004, (Ballina Coastal Reserve).

The Ballina Coastal Reserve has been reserved for specific purposes – as referred to in the 'Principles of Crown Land Management' (**Crown Lands Act 1989**), and in particular (c) and (d) - the use and enjoyment of such land by the public is expressly provided for and encouraged. Therefore a 2.5m wide shared path following the old sand mining road is an ideal use for this land.

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Providing that the proposed development will not have a significant adverse impact on any EEC's and if rehabilitation planting off-sets are utilised, there will not be any problems with the Department of Environment & Heritage in achieving the recommended suggestions.

Any proposal/approval for the Coastal Recreation Path should be framed around the above.

Therefore it is submitted that it is in the greater public interest to request that Ballina Shire Council take high level and strategic view, of the integrated pathway system and amend the current application accordingly or lodge a new application for any relative section, if required.

Yours faithfully



David Fuller

The Coastal Recreational Path (CRP) has been 'recommended for approval'.

On the basis of the information presented in the Review of Environmental Factors (REF) it is concluded that the proposed activity is **NOT** likely to:

1. have a significant adverse impact on the environment
2. significantly adversely affect threatened species, populations, ecological communities or their habitats (including critical habitat)
3. affect any Commonwealth land

The REF concluded that there would be minimal impact on the natural environment, flora and fauna (and their habitats) and that contingent upon the implementation of measures to mitigate and manage environmental impacts identified in the REF, the proposed Coastal Recreational Path is appropriate for approval.

To protect the greater public interest, due consideration must be given to the following points.

Don't lose sight of our community's objectives, the detailed and lengthy background and history of the CRP project. Consideration must also be given to the rights that exist as a consequence of the existence of the Public Road Reserve and to the Principles of Crown Land Management.

We draw your attention again to approximately 3000 individual letters previously sent to Ballina Shire Council showing strong and passionate support for the shared pathway, between Ballina and Lennox Head. A letter from Fuller & Driscoll, dated 09/02/2012, sent to Ballina Shire Council, re: Broad Community Support for Council's Recreational Pathway; Angels Beach underpass to Lennox Head states the following:

*There were approximately **1000 letters of support** submitted to Council in **November 2000**. This proposal was for a safe, sealed pathway in its current position (basically following the old sand mining road) from Angels Beach underpass to Lennox Head. The community asked if this work could start as soon as possible, as residents & visitors had been waiting for many years for this link to be connected. At the time the 1000 letters of support were the most letters ever received for or against any one project ever lodged with Council. This support for this project still remains as strong within the community, if not stronger.*

*Overwhelming community support for the coastal pathway was also demonstrated, with approximately **2000 individual letters of support** submitted to council in **June/July 2001**. These letters of support noted the doubling of the population at that time, continuous development increasingly joining Ballina to Lennox Head, 3 schools within this coastal strip, limitations of public transport, the dangers of having children travelling along the main road and the desperate need for a safe pathway, separate to the Coast Road, linking these areas, with the proposed route basically following the old sand mining road.*

*In particular, people don't want to endanger themselves by walking or cycling or pushing a pram along the side of the Coast Road, they want to experience living nature, riding a bike/scooter or simply walking and enjoying some of the finest scenery Ballina & Lennox have to offer. Not only would they enjoy the scenery (including our dune rehabilitation works & any Cultural Heritage sites) safely and comfortably but they could also use the shared pathway to walk/ride to school/work or for exercise. **A recreational path for all people.***

We continue to support the current preferred route of council, basically following the old sand mining route as it would result in

- *minimal impact to the work done by the Dune Care Groups in these areas to date,*
- *minimal impact re any Aboriginal Sites and*
- *minimal cost of construction as the road/track already exists and is of*
- *enormous value to the entire community.*

This preferred route of Council's is in the interest of the broad community as opposed to a single interest group. It must be progressed as soon as possible.

The broader public (particularly local residents, but also 'day-trippers' and tourists) simply want to experience the best Ballina has to offer on a safe, sealed, shared path (2.5m wide), that is physically and spatially separated from and to the east of the Coast Road that follows the old sand mining road/Road reserve. This upgraded path will provide users with a very high level of amenity, scenic value, attraction and scope for environmental interaction and appreciation.

The relatively minor works required to achieve the above involve the basic grading and shaping of sections of the existing gravel road and surface sealing, on a largely existing track that exists within a formal road reserve and which primarily follows an existing road/track that was used in association with sand mining.

Currently the CRP is located primarily along an existing heavily disturbed unsealed old sand mining road, hugging the Coast as seen in figure 1.

Figure 1: Existing gravel road; old Sand Mining Road; BSC preferred route hugging the Coast Line (early 70s).





Any approval for the activity should be framed around the above. Consideration must be given to the fact that the land is **NOT** part of a National Park, but is largely within a road reserve. The land is also contained within Ballina Coastal Reserve (being Reserve No. 1010068), the purpose of which is for '**Public Recreation, Access** and Coastal Environmental Protection' (as notified on the 13th August 2004).

The Ballina Coastal Reserve has been reserved (Legal Declaration) for the following specific purposes – refer to the '(11.) Principles of Crown land management' below, and in particular (c) and (d). The use and enjoyment of such land by the public is expressly provided for. Therefore a 2.5m shared Path is an ideal project for this land.

Reference should also be made to the '(5.) Right of passage along public road by members of the public' below, and in particular (1) being the public entitlement.

The proposed upgrade works to the Coastal Recreational Pathway are being undertaken to upgrade and formalise the existing informal gravel road as seen in figure 1, that has a current 'public entitlement, as of right, to pass along the public road reserve (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along such a road'.

This public entitlement is fundamental to any decision making about the subject Road Reserve.

11. Principles of Crown land management (Crown Lands Act 1989 No 6)

For the purposes of this Act, the principles of Crown Land Management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- (c) **that public use and enjoyment of appropriate Crown land be encouraged,**
- (d) **that, where appropriate, multiple use of Crown land be encouraged,**
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

5. Right of passage along public road by members of the public (ROADS ACT 1993 - SECT 5):

- (1) **A member of the public is entitled, as of right, to pass along a public road (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along the public road.**
- (1A) The right conferred by this section extends to the right of passage of members of the public in a light rail or other railway vehicle.
- (2) The right conferred by this section does not derogate from any right of passage that is conferred by the common law, but those rights are subject to such restrictions as are imposed by or under this or any other Act or law.
- (3) For example, those rights are subject to such restrictions as are imposed:
 - (a) by or under the road transport legislation within the meaning of the Road Transport Act 2013 , or

- (b) by or under section 72 of the *Crown Lands Act 1989* (Cultivation of enclosed roads).

Any member of the public is currently entitled, physically, or as of legal right, to pass along the full length of public road reserve (whether on foot, in a vehicle or otherwise) and so any Coastal Recreational path proposal, must be for **any member of the public** to pass along the **full length** of the public road reserve, and on a path of an **appropriate shared standard** (2.5m wide). Anything less, would be not be protecting the public interest or current entitlement over the land.

Priority should be given to the design and standard of the Coastal Recreational Path over other proposed shared/cycleway paths on the basis of what such will bring to the community and to the fact that that the informal path already exists.

The western side shared/cycleway path (located near the Coast Road) should be deferred as it may have a detrimental effect on the upgrading of the Recreational Path if constructed first.

Priority should be given to the construction of the recreational pathway between Pat Morton Lookout car park and Angels Beach as per minutes of BSC dated 12/12/2011.

Preference should be given to "shared path standards" from the Angels Beach Underpass to Pat Morton Lookout. It should be proposed that the CRP is built to "shared path standard" (2.5 m wide) to provide access for **any member of the public** for the **full length of the path**. With respect to disabled access to this shared path, there would be sections where the grade exceeds the recommended maximum of 5% rising to 15%. The shoe and path standard as set out in Walking Track Construction Guidelines (National Parks and Wildlife Service) would not be required. With a maximum grade of 15% Ballina Shire Council was able to eliminate the requirement for steps and shorten path lengths as required.

At chainage 160 to 200, ensure existing 3.0 wide path remains with 2.5 metre asphalt path and there is no requirement for fencing on the northern side on path. The widths are required for public safety when they are crossing from the Coast Road to the Beach for the spotting of Brown, Black or Green snakes etc. These widths should be applied to any other cross paths to the beach.

At chainage 200, provide 2.3m wide asphalt path to existing lookout and disabled ramp as previously agreed for the Disabled Ramp. Existing fencing to be maintained at the current width of 2.7m with a preference for bollards instead of fencing as fencing is unsightly.

All fencing and handrails should be kept to a minimum and only for safety or protection reasons should fencing be provided. The only people who go into the bush are Dune Carers and kids having the odd party. Fencing will not prevent people going into the bush and it is a visual eyesore.

The Crown Road/Road Reserve should only be 'transferred to Council's control' contingent upon completion and opening of the Coastal Recreational Path. The closure of Road Reserve and its consolidation into the comprised land of the Ballina Coastal Reserve should only occur once the path is operational. (Executive to deem the above.)

Road closure to be deferred until construction is complete and path is opened and operational. We may need this legal "Public Interest" in court.

The Coastal Recreational Pathway is being undertaken to upgrade and formalise the surfacing of an existing informal gravel track, that has a current 'public entitlement, as of right, to pass along the public road reserve (whether on foot, in a vehicle or otherwise) and to drive stock or other animals along such a road'. To date the community and Council have determined the preferred route where, the majority of the public made it clear they want the path (with no steps) up to 15% grade, east of and separate to the Coast Road. There is no mention of the "public entitlement" in the REF Report.

Closing the road reserve and losing the 'Public Entitlement' in the short term, is not such that will provide for the appropriate protection of the best public interest.

It is appropriate to include and use Compensatory Habitat Principles (avoid, minimise and or offset) to support the proposal to maintain path width (2.5m), alignment and surfaces (as required) from Angels Beach to Pat Morton Lookout.

Path widths should not be compromised as any impact is able to be reasonably and practically mitigated/off-set by the use of off-set/compensatory plantings with appropriate native endemic plant species (i.e. where any plant is required to be removed, it is to be replaced with an increased number of plants in an appropriate location at a rate of between 1:3 up to 1:10, depending upon the significance of the tree/plant that is removed). Apply this principle to any narrowing of the path to maintain a path width of 2.5 metres, particularly between the Overpass and Flat Rock due to any Coastal Cypress trees or regenerating littoral rainforest or EECs etc. Also apply this principle at the Angels Beach Underpass to relocate the first 80 metres of path from the edge of the Coast Road to follow the old sand mining road/track to enhance the Coastal Recreation Experience. Continue path width of 2.5 metres from Sharpes Creek to Pat Morton Lookout.

Given the large areas that will be closed and revegetated this will be easy to achieve. Revegetation and rehabilitation has already been successfully achieved along large stretches of land on the eastern side of the Coast Road and can be therefore undertaken where required in respect of the proposed works. The Beachfront Parade Dune Care Group has undertaken the planting of thousands of seedlings and shrubs, and weed control activities for years. These plants have been provided by both Ballina Shire Council and the State Government. This experience has provided confirmation that any disturbance of the ground also causes a significant natural regeneration of native vegetation to occur. In the time frame of the proposed cycleway (over 25 years) Ballina Shire Council has supplied DuneCare groups with significant number of plants. Council is able to continue to provide significant numbers of plants for any revegetation/rehabilitation works for the Coastal Recreational Path project and therefore it is prudent that consideration be given to Habitat Compensatory Principles in order to maintain path width, alignment and surfaces.

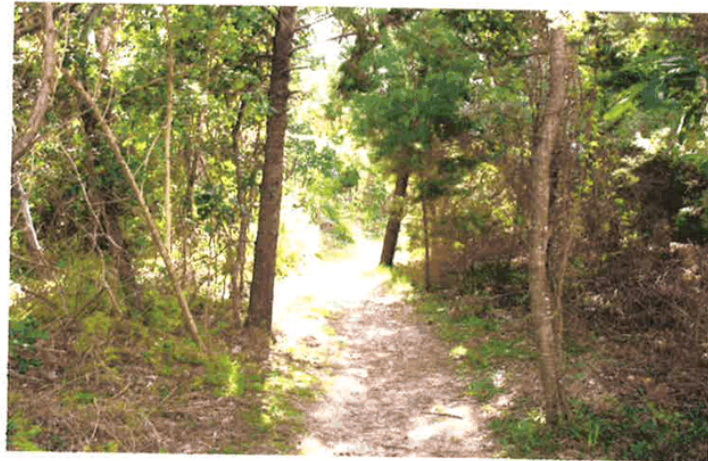
It is suggested that it would have been appropriate for Section 7.1.2 Flora and Fauna, Objectives of the REF, to read:

- **'Minimize'** Not 'Avoid' both direct and in direct impacts to all identified sensitive vegetation (i.e. EEC, Themeda grasslands, remnant rainforest) in the vicinity of the works area.
- **'Minimize'** Not 'Minimisation' trimming and removal of native vegetation
- **Where there are unavoidable impacts (including Endangered Ecological Communities (EECs)), Council should make a reasonable attempt to 'minimize' the impact as much as possible and/or use 'offsets' to compensate for any remaining impacts.**

NSW Environment & Heritage have stated (by Phone 23/07/2013) that they would be in a position to support any project applying an additional, higher 'biodiversity offset principle', rather than just "avoid" impacts. Where there are unavoidable impacts (including EECs), one should make a reasonable attempt to 'minimize' the impact as much as possible or use 'offsets' to compensate for any remaining impacts.

It is considered prudent and appropriate to use the NSW Department of Environment & Heritage "principles for use of biodiversity offsets", by which to negotiate offsets, for the 'greater good of the community' re the Coastal recreational path (2.5m wide). In particular this should be applied re the potential removal of 15 Coastal Cypress Trees south of Flat Rock Tent Park if they can't be avoided, or else were as required. See figure 2

Figure 2: Remove Coastal Cypress Tress (EECs) and maintain path width of 2.5m





It is important to note that Dunecare groups have been planting plants / regenerating ecological communities from the Angels Beach Underpass to Sharps Creek, North Skennars Head to the back of Boulder Beach and Lennox Headland. Some of these works commenced at about 1989, with the full knowledge of a cycleway being established on the old sand mining road which is primarily Councils' preferred route now.

It is suggested that the Minister for Department of Planning & Infrastructure might form the opinion that the Coastal Recreational Path (old Sand Mining road) is important enough to call it in, as a state significant infrastructure or part of the East Coast Cycleway program. The Minister may be inclined to take a helicopter view of things for the protection of the greater public interest.

The NSW Government has developed the following seven principles to be used in assessing impacts to biodiversity and determining acceptable offsets for state significant development and state significant infrastructure projects. These principles can be seen below and at <http://www.environment.nsw.gov.au/biocertification/offsets.htm>.

NSW offset principles for major projects (state significant development and state significant infrastructure)

The NSW Government has developed the following seven principles to be used in assessing impacts to biodiversity and determining acceptable offsets for state significant development and state significant infrastructure projects.

1. Before offsets are considered, impacts must first be avoided and unavoidable impacts minimised through mitigation measures. Only then should offsets be considered for the remaining impacts.

Offsets sit within a hierarchy of "avoid, minimise, offset". The first priority in a development proposal is always to avoid any unnecessary impact to biodiversity. Where impacts cannot be avoided, a reasonable attempt should be made to minimise the impact as much as possible. After all feasible measures have been taken to avoid or minimise impacts to biodiversity, offsets should be used to compensate for any remaining impacts.

2. Offset requirements should be based on a reliable and transparent assessment of losses and gains.

Offsetting decisions should be based on a reliable and transparent assessment of the loss in biodiversity due to the development proposal and the likely gain in biodiversity through the offset. For terrestrial biodiversity, established assessment tools, such as the BioBanking Assessment Methodology, are considered best practice. This methodology is currently being reviewed and refined to ensure it is as robust as possible.

3. Offsets must be targeted to the biodiversity values being lost or to higher conservation priorities.

Offsets should reflect the biodiversity values, including threatened species and their habitat, that are being lost. This should be on a like-for-like basis for NSW-listed species and ecological communities that are also nationally listed.

Like-for-like is preferable for ecological communities, threatened species and their habitat that are only listed in NSW. However, where offset sites that are exactly like-for-like are not reasonably available, offsets may include vegetation communities of a similar type or a type of a higher conservation priority, or threatened species of a higher conservation priority.

4. Offsets must be additional to other legal requirements.

The biodiversity protection and management requirements of an offset must be in addition to any legal requirements already in place for biodiversity on that land. This includes, for example, any existing legal restrictions on clearing under the *Native Vegetation Act 2003*. Improvements in the condition of native vegetation not currently required by other legislation would count as an offset.

5. Offsets must be enduring, enforceable and auditable.

Offset sites must be subject to good governance arrangements to ensure they are not inadvertently developed in the future. This includes having an appropriate plan of management, resourcing for management, legal security and accountability mechanisms.

For terrestrial offsets, a BioBanking Agreement or addition to the NSW national parks system are the preferred mechanisms for securing an offset site. The purchase and retirement of biodiversity credits under the BioBanking Scheme, where appropriate credits are available, also meets the requirement for good governance arrangements.

Suitable offsets must be determined prior to approval. However the offset does not need to be finalised (e.g. be purchased or have relevant protection over it) prior to approval, providing it is subject to a suitable mechanism that will remain enforceable after the project has been completed.

6. Supplementary measures can be used in lieu of offsets.

For terrestrial offsets, supplementary measures can be used in lieu of offsets in situations where land based offsetting is not feasible or practical. The supplementary measure must be relevant to the biodiversity value being impacted. The monetary value of a supplementary measure is to be determined by an appropriate method that is repeatable and transparent.

Examples of supplementary measures include the provision of funds for:

- Biodiversity research or surveys
- Recovery of threatened species
- Community education and awareness programs

Supplementary measures may also be used to compensate for impacts on aquatic biodiversity.

7. Offsets can be discounted where significant social and economic benefits accrue to NSW as a consequence of the proposal.

While an outcome in which biodiversity values are improved or maintained is preferred, it is acknowledged that in some circumstances flexibility may be required, especially in the context of a project providing significant social or economic benefits to NSW.

Page last updated: 17 July 2013

Sandmining

It is suggested that it would have been appropriate for detailed sand mining maps to have been provided in the REF. The Coastal Recreational path (2.5 metres wide) following BSC's preferred route on the Old Sand Mining Road from Angels Beach to Skennars Head as well as Boulders Beach are heavily disturbed landscapes due to early mining and heavy mineral sandmining activities.

Some Early Mining Leases Identified:

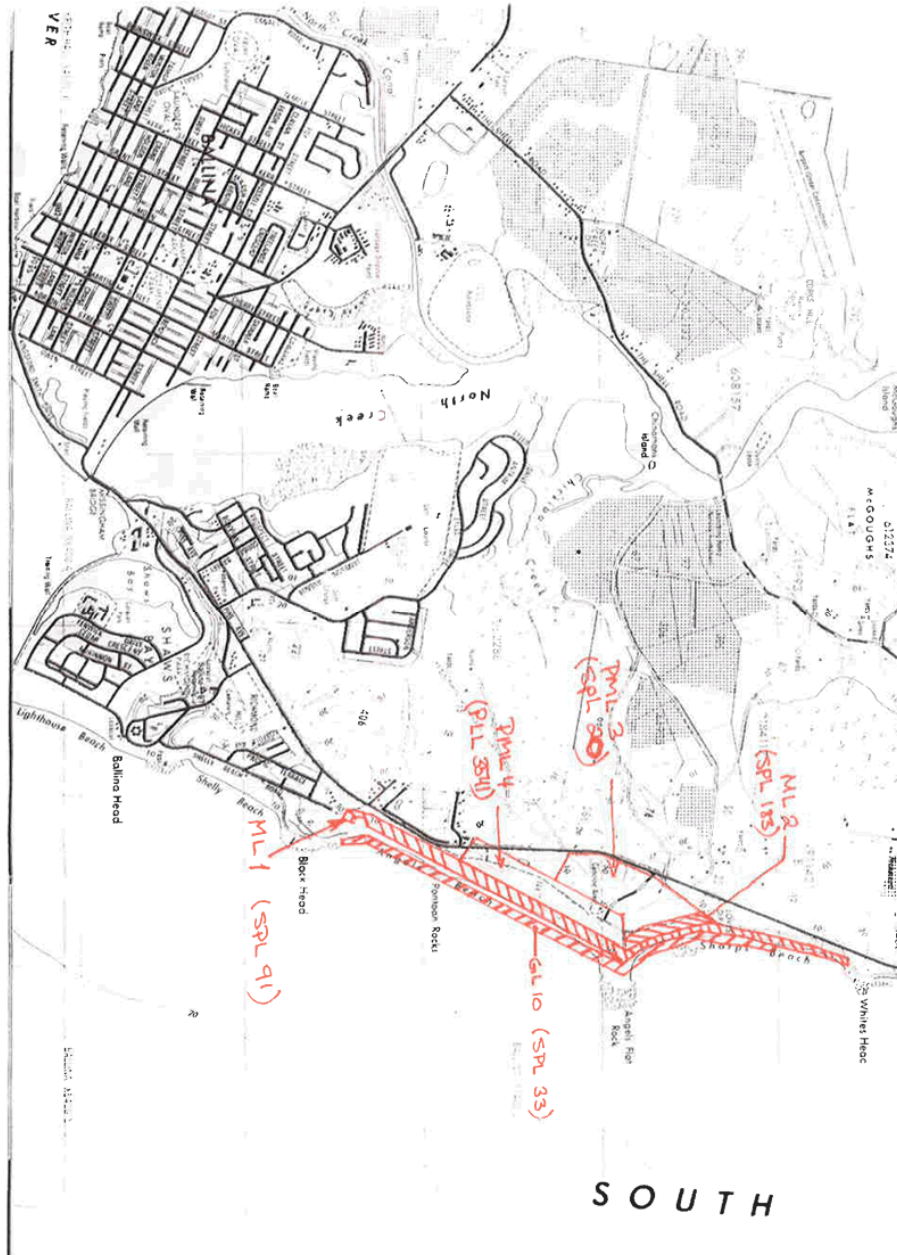
Charles Ainsworth & family lived at Black Head from 1918 to 1930 (Ref I.W Morley Book Black Sands & family diary of C. W. Ainsworth). During that period they held a mining lease or leases for the beach in front of Beachfront Parade. Evidence of the remains of the separation plant is still evident today on the rocky outcrop in front of the Barwen St entrance.

References to leases held for that area are Cecil Cumberland lease no. 32, Charles Ainsworth lease no.33& 34. In early 1924 lease 34 was transferred to C. G. Cumberland. By 1929 these various leases had been cancelled or had lapsed. Sometime after September a public company ,Beach Sandmining Co Limited obtained a mining lease at Flat Rock Creek. A concentrating plant, comprising a suction gas engine, curvilinear tables and pumps was erected on the site by Alf Neumann, who was a Director of Beach Sand Mining Co Ltd.

Heavy Mineral Sand Mining

A plan showing mining leases and details where mining activity occurred at Angels Beach to Skennars Headland from the NSW Department of Mineral resources can be seen in see Figure 3. The attached spread sheet below contains details on when mining activity occurred and when the Leases were in force.

Figure 3, plan showing mining leases and details where mining activity occurred at Angels Beach to Skennars Headland.



Lease Number	Operator	Mining	Date	Granted	Expired
GL 10 (SPL 33)	Zircon Rutile P/L/Associated Minerals	YES	1956, 1962 - 1963, 1965, 1968	5/07/1932	5/07/1998
ML 1 (SPL 91)	Zircon Rutile P/L/Associated Minerals/Curumbin Minerals	YES	1957 - 08/69	18/12/1947	18/12/1998
PML 4(PLL 3541)	Zircon Rutile P/L/Curumbin Minerals	YES	1959 - 1965	21/06/1955	9/03/1990
ML 2 (SPL 183)	Zircon Rutile P/L/Curumbin Minerals	YES	1965	16/08/1961	3/06/1994
PML 3 (SPL 20)	Cu/Zn R Z/Curumbin Minerals	NO		9/02/1968	9/02/1994
GL = Gold Lease					
SPL = Special Purpose Lease					
ML = Mining Lease					
PML = Private Mining Lease					
PLL = Private lands Lease					



*NSW DEPARTMENT OF MINERAL RESOURCES
Minerals and Energy House, 29-57 Christie Street St
Leonards NSW 2065 Australia*

*PO Box 536 St Leonards NSW 1590
Phone (02) 9901 8888. Fax (02) 9901 8777
DX 3324 St Leonards
www.minerals.nsw.gov.au
ABN: 68 040 288 347*

**David Fuller
PO Box 48
Ballina NSW 2478**

**Our ref.
L0310225**

Dear Sir

1-heavy Mineral Sand Mining at Angels Beach Ballina

Reference is made to your recent request for information on the above matter.

Enclosed is a plan showing the Mining Leases at Angels Beach of which the Department has a record. The enclosed spread sheet contains details on when mining activity occurred and when the Leases were in force.

If you have any queries concerning this matter please contact Mr Jyrki Pienmunne of the Geological Survey on (02) 9901 8369.

Yours **faithfully**,

~ 

1/5/03

**GP MacRae
Acting Manager,
Land Use and Resource Assessment**

Sand Mining Archaeological implications

The subject land or Ballina Shire Council's preferred route (Angel Beach, Flat Rock, Sharpes Beach and Boulder Beach) has **been sand mined** as early as 1924 with heavy mineral sand mining leases being granted for the area from 1956 to 1968 (NSW Department of Mineral Resources 01/05/03)

"Specifically within the study area (Angels Beach), sand mining activities would have had a negative impact on both surface and sub-surface cultural materials. It is **highly unlikely that archaeological material would be located** within the study area. If any material were present, the integrity of that material would be highly compromised. The Context of any material located would also be questionable" (Davies Heritage Consultants PTY LTD January 2004).

Sand Mining Ecological implications

The subject area has been highly modified during sand mining, followed by the area being planted out with Bitou bush to provide protection against erosion forces. Dune Care groups since the nineties have been slowly removing pockets of Bitou bush and Lantana and rehabilitating these areas with native vegetation cover. They have created pockets of regenerating endangered ecological communities' while other areas remain heavily disturbed.

Any unavoidable impacts of a Coastal Recreational path (2.5 metres wide) following BSC preferred route on the Old Sand Mining Road are of a very small scale on a heavily disturbed landscape and degraded vegetation.

The old sand mining road / CRP on Skennars Head is also heavily disturbed area (figure 4). Any EEC's need to be protected during construction but path alignment should remain over the old sand mining road. It can be seen that the current track is a minimum width of four metres filled with low class exotic dominant grassland. It is covered with Couch, Kikuyu, Clover, bindies etc. The track is also in urgent need of maintenance.

Sand Mining Hydrological implications

The natural hydrological regimes of Sharpes Creek, Flat Rock, Angels Beach and Boulder Beach have been altered due to sand mining and adjacent subdivision construction. The seasonal manmade pond south of Flat Rock is an example of the effects of this, coupled with the wettest period from the third week of January 2013 to more recently and since the 80's. The water disperses relatively quickly as the soil is sand.

Figure 4 Old Sand mining Road – Skennars Headland





If required, Should the path alignment have to be diverted around the 'Open Camp Site' just north of Flat Rock, it would be appropriate to use the compensatory habitat rule if required. It should be stressed that 'diverted around' should not mean going back up to the Coast Road.

The NSW Department of Mineral resources plan as seen in figure 3 shows mining leases ML 1 (SPL91), PML2 (SPL 183) & PML 4 (PLL 3541) where mining activity occurred at Flat Rock. The enclosed spread sheet above contains details on the mining activity occurring between 1957 & 1969 and when the Lease was in force. Therefore specifically within the Flat Rock area, sand mining activities would have had a negative impact on both surface and sub-surface cultural materials.

In respect of the reference to the 'open camp site' and '2 shell scatters' just north of Flat Rock, clarification is required as to whether 'avoidance and establishment of exclusion zone or apply for an AHIP' means a minor path adjustment around such items and that the path continues on in the same general direction.

Does 'Site Avoidance and Preservation' mean a minor path adjustment around such items and the path continues on in the same general area?

The Review of Environmental Factors (REF) does not state there are major environmental or engineering problems in the Flat Rock area that can't be mitigated or that it is necessary to encourage bike riders up Flat Rock Road to the Coast Road. The REF concluded that there would be minimal impact on the natural environment, flora and fauna (and their habitats) and that contingent upon the implementation of measures to mitigate and manage environmental impacts identified in the REF, the proposed Coastal Recreational Path is appropriate for approval.

Continue the Coastal Recreational Pathway south from the Angels Beach Disabled Ramp, along the existing track to the underpass at Bayview Drive, as opposed to along the Coast Road and use habitat compensatory rule if required.

The previous Shared Path DA, Angels Beach underpass to Flat Rock, was thrown out of Court on a Cultural Heritage Technicality; the Archaeologist report only considered Archaeology of the subject site and didn't include Anthropology report – the broader culture use of the area. The judge threw out the DA on this basis. There were no issues raised with Flora and Fauna. Based on this, the preferred track (shared Path) alignment should continue along the existing track from Angels Beach Disabled ramp to the underpass at Bayview Drive.

Re: Proposed Angels Beach - shared pathway (from Angels Beach pedestrian/cycleway underpass to Flat Rock Tent Park), BSC, Ordinary Meeting dated 27/11/2008 states, DECC response as: 'the declaration (of an Aboriginal Place

- East Ballina) would not jeopardise Council's ongoing efforts to secure approvals and construct the pathway on the basis that the preferred route **aligns** closely with the informal access track that has been in place for many years.'

Council should take DECC advice and give serious consideration to the realignment of the first 80 metres of Coastal recreational Path from the Angels Beach Underpass so that its route **aligns** closely with the informal access track (Figure 5) that has been in place for many years as opposed to following along the coast road for the first 80 metres.

Figure 5: Underpass Angels Beach; Preferred route should **align** closely with the informal access track that has been in place for many years



(Reverse view to track in background)



(Actual track)



It would be a significantly cheaper exercise to upgrade/maintain the existing shared pathway (Coastal Recreational Path) than to construct the new pathways on the western side.

In order to reduce costs, it would be possible to remove all unnecessary handrails on either side of the boardwalk sections. For example, what are the hazards that are that great that we need handrails from the Overpass to Flat Rock?

Removal of the boardwalk from Overpass to Flat Rock would result in significant savings. The previous Shared Path DA, Angels Beach Underpass to Flat Rock, was thrown out of Court on a Heritage technicality and there was no issue with Flora and Fauna, so why incur further costs by providing a raised boardwalk as opposed to gravel & asphalt from the Overpass to Flat Rock when clearly it is not required.

Extend the 'shared path' from Sharpes Creek to to Skennars Head and don't construct the new pathways on the western side for significant cost savings.

Extend the 'shared path' from Sharpes Creek to to Pat Morton Lookout and don't construct the new pathways on the Coast Road for significant cost savings. Also alternative route from Boulder Beach to Pat Morton Lookout is via BLHE-05 Dry stone wall.

Apply for grant funds from NSW Coastline Cycleway Program for the section Angels Beach Underpass to Skennars Headland and also Skennars Headland to Pat Morton Lookout.

Revegetation Works, within 1 metre of the edges of the Coastal Recreational Path are to be in keeping of the surrounding area. If plants are required they are to be of a very small size, have no root systems that will encroach the path surface and not have foliage that will over-hang/encroach the path. It is also imperative that good visibility be maintained within 1 metre of all path edges, is required for spotting of snakes (Brown, Black, Green, etc.).

EEC means endangered ecological community.

Coastal Recreation Path test is: can one ride a bike, formally, from the Underpass Angels Beach to Pat Morton Lookout?

It is considered prudent and appropriate to first obtain consent/approval and to complete construction of Coastal Recreational path works before transferring operational land at Flat Rock to community land. Any closure in the short term is considered premature and may compromise future negotiation opportunities for the pathway.

In Conclusion, any member of the public is currently entitled, physically, or as of legal right, to pass along the full length of public road reserve (whether on foot, in a vehicle or otherwise) and so any Coastal Recreational path proposal, must be for any member of the public to pass along the **full length** of the public road reserve, and on a path of an **appropriate shared path standard** (2.5m wide). Anything less, would be not be protecting the public interest or current entitlement over the land.

**Skennars Head to Pat Morton Lookout Shared Path along the Coast Road
incorporating (DA2013/194)**

Pat Morton Lookout to Skennars Head Shared Path to have alignment altered to be predominantly incorporated into the Coastal recreational Path for a significantly improved public experience as opposed to alignment on the Coast Road.

The share path from Pat Morton Lookout to Skennars Head should be realigned from chainage 5500 at northern end of the Dry Stone wall (Figure 1), to ensure that the Shared Path continues to follows the existing mown path to the southern end of Dry Stone Wall or Tucker Roo tree as seen Figure 2 and then proceed in a south east direction on the existing emergency vehicle track as seen in figure 3 to connect with Coastal Recreational Path near the northern end of the timber board walk that spans over Boulder Beach wet land. Note The Tucker Roo tree in Figure 2, 3 & 4 as Figure 4 is at the intersection of the New alignment and Emergency Vehicle path looking west about 50 metres to the Coast Road. Note the Tuckeroo tree and the distance to White Car on Coast Road; A significantly improved experience as opposed to alignment on the Coast Road. The remainder of the Shared Path to Skennars Headland is no longer required resulting in **cost savings** and no potential SEPP 26 Littoral Rainforest impacts. The upgrade of the current path to shared path standards running by the Dry Stone Wall may require any impact to be mitigated. This realignment passes the stone wall which enhances the public experience and safety by not continuing on the edge of the Coast Road. If done right it will help preserve the Dry Stone Wall.

Figure 1: The share path from Pat Morton Lookout to Skennars Head should be realigned from chainage 5500 at northern end of the Dry Stone wall as seen below.



Figure 2: Ensure that the Shared Path continues to follow the existing mown path to the southern end of Dry Stone Wall or Tuckeroo tree as seen below.



(Note The Tuckeroo tree)



Figure 3: Now proceed in a south east direction on the existing emergency vehicle track as seen below to connect with Coastal recreational Path near the northern end of the timber board walk that spans over Boulder Beach wet land.



Figure 4: Intersection of the New alignment and Emergency Vehicle path looking west about 50 metres to the Coast Road (Note The Tuckeroo tree and White Car on Coast Road; A significantly improve experience as opposed to alignment on the Coast Road.)



8.3 Part 5 Project - Ballina to Lennox Head Recreational Path.DOC

Should an element be missing or you would like to explore any of the options, please feel free to contact me.

SurveyMonkey



Survey Results -- Individual

Delete

Edit Response

Results Overview

Feedback for Documents on Exhibition

Response 1 of 3

Go

User Information

Name:	Anonymous	Email:	N/A
Location:	N/A	Company:	N/A
Position:	N/A	IP Address:	58.106.3.52
Started:	19/07/2013 11:58:58 AM	Completed:	19/07/2013 12:14:18 PM
Time Spent:	15 min, 20 sec	Custom 1:	N/A
Custom 2:	N/A	Custom 3:	N/A

Display: Display all pages and questions

Manage Filters 0 filters

Share Results Disabled

1. Name of exhibited document you want to make comment on.

PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

2. Your name (anonymous submissions may be disregarded by Council):

Ross Schumacher

3. Phone number (optional):

0732176062

4. Email (confirmation of your email address is required to provide feedback from Council):

rossschumacher@optusnet.com.au

5. Having read the document, is it easy to read and understand?

Yes

6. Please provide any suggestions for improvement.

The pathway should not be built within the the boundary of the Flat Rock tent park for the following reasons.
 - A dramatic reduction in the security of the Flat rock tent park exposing all campers to a much greater risk of theft and vandalism.
 - Reduction in the privacy of the campsites along the boundary of the Tent park,
 - A dramatic reduction in the amenity of the campsites along the boundary of the tent park.
 - A reduction in the size of the Flat Rock tent park further reducing income to council
 I urge council to consider the requests of tourists/campers who have been returning to this park year on year for the very amenity and privacy that this development will destroy!

<http://www.ballina.nsw.gov.au/surveys/ResultsIndividual.asp?DisplayHeader=Yes&S...> 23/07/2013

13/42482

P4 V.

SurveyMonkey



Survey Results -- Individual



Feedback for Documents on Exhibition

Response 3 of 3

User Information

Name:	Anonymous	Email:	N/A
Location:	N/A	Company:	N/A
Position:	N/A	IP Address:	123.243.182.192
Started:	21/07/2013 10:54:33 AM	Completed:	21/07/2013 11:16:34 AM
Time Spent:	22 min, 1 sec	Custom 1:	N/A
Custom 2:	N/A	Custom 3:	N/A

Display:

Manage Filters 0 filters

Share Results Disabled

1. Name of exhibited document you want to make comment on.

PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

2. Your name (anonymous submissions may be disregarded by Council):

Fiona Deadman

3. Phone number (optional):

0734221243

4. Email (confirmation of your email address is required to provide feedback from Council):

fdeadman@tpdmedia.com.au

5. Having read the document, is it easy to read and understand?

Yes

6. Please provide any suggestions for improvement.

[No Answer Entered]

7. Do you support the overall objectives and content of the document?

No

http://www.ballina.nsw.gov.au/surveys/ResultsIndividual.asp?DisplayHeader=Yes&S... 23/07/2013

Survey 2013



Survey Results -- Individual

Feedback for Documents on Exhibition

Response 1 of 1

User Information

Name:	Anonymous	Email:	N/A
Location:	N/A	Company:	N/A
Position:	N/A	IP Address:	121.223.107.150
Started:	23/07/2013 9:38:21 PM	Completed:	23/07/2013 11:19:26 PM
Time Spent:	1 hrs, 41 min, 5 sec	Custom 1:	N/A
Custom 2:	N/A	Custom 3:	N/A

Display:

Manage Filters 0 filters

Share Results Disabled

1. Name of exhibited document you want to make comment on.

Application PT5 2013/0009 Ballina to Lennox Hds Coastal Recreational Pathway

2. Your name (anonymous submissions may be disregarded by Council):

Lorraine Baker

3. Phone number (optional):

0438009518

4. Email (confirmation of your email address is required to provide feedback from Council):

bakerraine2@bigpond.com

5. Having read the document, is it easy to read and understand?

Yes

6. Please provide any suggestions for improvement.

My family and I have camped at Flat Rock Tent Park for the past 15 years Site 34. I have been made aware of the proposed recreational pathway to be built either through the eastern section of the tent park or skirt the eastern fence line of the park. We have camped in this park to enjoy the quiet natural beauty and environmentally friendly surroundings. The managers of the park have kept its natural beauty and this what entices us and many more families to repeatedly return to Flat Rock. It is also a concern that the privacy and safety from theft that we have so enjoyed over the many years will be lost.

I understand that the Council is endeavouring to encourage recreational activities by installing a pathway but I feel it would be best relocated further down on the sand dunes closer to the shoreline. Also if this path is to be built, could Council consider the path to be a more natural dirt pathway with wooden edging instead of asphalt seal. I hope that my views could be considered in this proposal.

http://www.ballina.nsw.gov.au/surveys/ResultsIndividual.asp?SurveyID=126&Respo... 29/07/2013

13/42968

PT5

Janelle Snellgrove

From: Trey Lowsley [t lows1@bigpond.com]
Sent: Wednesday, 24 July 2013 7:19 PM
To: Ballina Shire Council
Subject: Ref: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Pathway OPPOSING OPINION

Ref: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Pathway

To whom it may concern,

We write to applaud you on the idea of the proposed Coastal Recreational Pathway (CRP) but also to object to its currently planned implementation. Our particular objection is to the proposed impact on the Flat Rock Tent Park, where our family and friends are regular campers.

Given the already dire lack of basic tent camping anywhere near the beach along the eastern seaboard, is it really necessary for such an otherwise noble endeavour as the CRP to drive another nail in the coffin of back-to-nature tent camping by the sea? With our first-hand understanding of the area, it's hard to see how there aren't plenty of alternate routings that could leave the Flat Rock Tent Park untouched. Certainly, many affected families such as ours would thank you for considering these alternatives.

We love the natural beauty, basic simplicity and easy beach access currently offered by the Tent Park and have found these hidden, undeveloped gems increasingly hard to find anywhere near our home, so the thought of losing this one has sent tremors through our close-knit community. Every year, for example, there are upwards of 100 fathers and children from the region who gather together to celebrate surf, sun, simplicity and sons and daughters. It's been going on for about 10 years now, building in numbers every time as more families in our community are drawn to the natural pleasures of the Tent Park. Isn't this a tremendous tourist opportunity for the Lennox Head community who benefit from not only the camping but also the visits to the shops, restaurants, arcades and hotels that accompany such a large gathering of families over a long weekend? Certainly the proposed Coastal Recreational Pathway would enjoy the hearty patronage of our community were it conveniently in the direct vicinity of the Tent Park rather than in our actual campsites!

We're confident you'll receive many similar letters of opposition related to the resumption of the Tent Park campsites and therefore kindly request that you consider the accumulated impact even as you explore the relative ease with which you could certainly redirect the proposed path away from such scarce camping facilities. The community deserves such consideration and our family and friends thank you in advance for respecting that.

Should you wish to discuss our opposition further, please feel free to contact us using the e-mail or mobile details provided below. We look forward to your response and your ultimately thoughtful, community-minded decision.

Regards,

Trey Lowsley, Teacher
Geraldine Glenane, Counsellor
Odin Lowsley, Student
Tormagh Lowsley, Student

SurveyMonkey



Survey Results -- Individual

Feedback for Documents on Exhibition

Response 2 of 2 ← → Go

User Information

Name:	Anonymous	Email:	N/A
Location:	N/A	Company:	N/A
Position:	N/A	IP Address:	220.244.206.125
Started:	25/07/2013 12:47:17 PM	Completed:	25/07/2013 12:58:15 PM
Time Spent:	10 min, 58 sec	Custom 1:	N/A
Custom 2:	N/A	Custom 3:	N/A

Display:

Manage Filters 0 filters

Share Results Disabled

1. Name of exhibited document you want to make comment on.

PT 5 2013/009 Ballina to Lennox Head Coastal Recreational Path Review of Environmental Factors

2. Your name (anonymous submissions may be disregarded by Council):

Heather Lloyd

3. Phone number (optional):

66874787

4. Email (confirmation of your email address is required to provide feedback from Council):

lloydavi@gmail.com

5. Having read the document, is it easy to read and understand?

Yes

6. Please provide any suggestions for improvement.

My comments are submitted in regard to the Boulders Beach to Pat Morton - Lennox Head section of the Coastal Recreation Path (CRP).

The document proposes that "The CRP would generally involve the formalisation of existing paths (both formal and informal) through the use of asphalt, gravel and wooden boardwalks".

Because the report does not identify where asphalt or gravel will apply it is difficult to assess the full impacts of the proposed upgrading. I see this as a major shortcoming of the environmental assessment. The use of gravel and asphalt potentially over the entire length of the path will impact on the current formal and informal pathways which in many sections are grassed/mown and have a low environmental and landscape impact. Upgrading will also bring inherit

<http://www.ballina.nsw.gov.au/surveys/ResultsIndividual.asp?SurveyID=126&Respo...> 29/07/2013

The General Manager
Ballina Shire Council
PO box 450 ballina
NSW 2478

Re: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path

We are the managers of Flat Rock Tent Park and wish to express our **objection** to the section of this proposed Recreational Path being "*constructed within tent park area with existing timber fence to remain in situ*". NSW Public Works Review of Environmental Factors 5-18

There has been conflicting comments of the positioning of the recreation path but Paul Busmanis – Engineering Works manager, met with us on 24/07/13 and confirmed that the path has been planned to run within the Flat Rock Tent park area along the eastern fence line, running across sites 31 to 43. This planned path will go straight across 13 of the most popular sites in the tent park.

Paul Busmanis also confirmed that the planned path will be asphalt so all ages will be able to use the path including bikes and skateboards etc.

We believe this planned path will have a very negative effect on the future of the tent park and the tourists that enjoy camping here.

Following we have listed how we believe this Coastal Recreational Path (CRP) will have a detrimental effect on the tent park.

- **Loss of Tourists**

Tourists are drawn to Flat Rock Tent Park for the unique natural bush land camping, right on the beach. Campers can relax in the serenity and quietness of Flat Rock Tent Park and it's bush surroundings.

Flat Rock Tent Park is enjoyed mainly by returning guests and new guests who have had the park recommended to them.

Our returning guests favour particular sites and the sites running along our eastern fence line, where the CRP is planned to run, are the MOST popular of all our sites in the entire park. Many of our campers will not camp on any other site other than these Eastern fence sites 31 to 43. These sites run at 50% to 73% occupancy on average a year, while the park occupancy average a year is 29%.

We have received many enquiries from campers upset about the planned pathway, many saying that if it goes ahead they will not be returning to camp at Flat Rock Tent Park. Most campers are not against the CRP but their issue is location, they do not want it inside or close to the park.

We believe as managers there will be a large loss of guests to the park due to this pathway. Losing these guests will have a huge impact on the business at Flat Rock Tent Park, as this business relies on our returning guests. This will also impact other local businesses our campers contribute to.

We do not believe having any type of security fencing is the answer to these issues, a fence will rob campers of the feel of the natural bush camping people come to love at Flat Rock tent Park. It would be a far better solution to put the CRP in the bush, as far away from camp sites as possible and as there is ample distance from beach to park for this to happen.

- **Increase in Noise due to asphalt path**

From past experience we know that an asphalt path will attract bikes and skateboards etc, creating a noise problem for campers close to the CRP. Campers come to Flat Rock for the quiet and peaceful atmosphere it offers them, a public asphalt path will destroy this atmosphere.

One of the park rules set by Ballina Shire Council, is that we do not allow skateboards to be ridden in park due to noise and danger, if the CRP goes through the park how can we police a public path. This track needs to be away from the park for noise and safety reasons.

- **Restructuring of camp ground**

The space needed in the Tent Park to allow for CRP will cause massive disruption to the entire layout of sites from site number 28 through to 87.

Sites will need to be relocated and renumbered. The road will need to be rebuilt or repositioned. Concrete bin pads will need to be removed and relocated. Solar lighting will need to be repositioned. We also have 7 taps and a water meter running along the eastern fence line that will need to be relocated, as we have to provide campers with town water access.

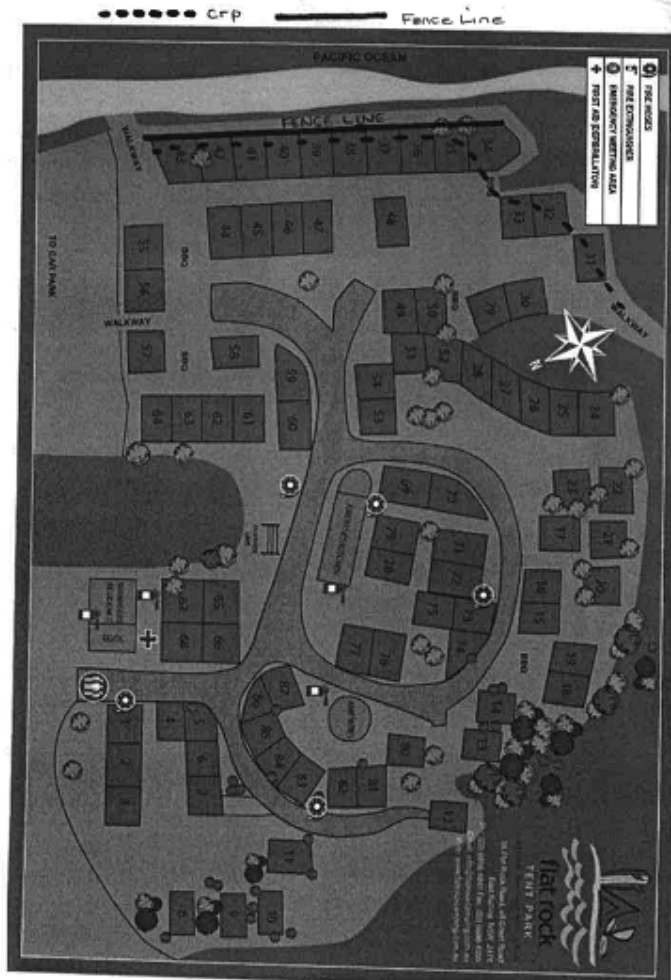
We do not have play grounds or swimming pools here at the tent park; families that stay with us enjoy ball games in the common grass areas of the park. These common areas will be lost if there is any reduction to the camp site area to allow for CRP.

This is not a simple task and will be quite costly. Paul Busmanis did indicate to us that these costs will all be allowed for in planning of the CRP but why waste money on the restructure of the tent park when all this could be avoided by building the CRP in the bush, away from park?

- **Construction activities**

We also have other concerns about the work being done in the surrounding areas of the park, such as the boardwalk on the southern side. The project information did not give any details on the Contractors access for this work. If access is being provided through the tent park for this construction work there will be considerable damage done to the grounds. A significant amount of money and work has gone into maintaining and improving the park grounds. Also it would be a major disruption to the campers.

The Impact Assessment stated "*construction activities such as stockpiling and machinery would be visible from one residence at Boulder beach, Flat Rock Tent Park recreational areas and roads/car parks along the route during construction but the continuous nature of the construction would be temporary and the impact would be minor*". This statement is not very detailed as to what the anticipated timing of "*construction activities and machinery*" would be around the Flat Rock Tent Park. For example does the contractor intend using the Flat Rock Area (being the Tent Park and the car park) for the duration of the construction of the whole of the CRP or just for the length of time to construct the CRP in the immediate areas around Flat Rock. Are there any restrictions on how much machinery and stockpiling will be allowed and considerations on limiting inconvenience to the public users of this area and the campers? Can we possibly request that work around the Flat Rock area is planned between May and August so as not to cause major disruption to our campers?



CRP to run along eastern and southern fence line inside park, as confirmed by Paul Busmanis, sites 31 to 43.

13/43539 PTS

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

26th July 2013

Re: PT 5 2013/0009 Ballina to Lennox Head Coastal Recreational Path (CRP)

I work casually at Flat Rock Tent Park and wish to lodge my objection to the section of this proposed Recreational Path being *"constructed within tent park area with existing timber fence to remain in situ"*. NSW Public Works Review of Environmental Factors 5-18.

Working casually at the Flat Rock Tent Park I have conversations with many of the campers who love this amenity provided by Ballina. To see this degraded by the CRP would be a loss to the Shire of Ballina. It is obvious that the sites the CRP will take out are the most popular as campers are always requesting them, they often adjust their holiday to fit in with a vacancy on these favourite sites and will not take an alternative one.

This path would change the whole atmosphere of a unique camping experience that finds guests returning year after year. The guests using this facility bring business to the local area using shops, hotels, restaurants and clubs. They enjoy the tranquility the park offers, the bush setting, the privacy, the closeness to the beach and a camp ground that offers recreational sections of grass for parents and children to play ball games etc.

The project proposal has given detailed reports on the effect of the CRP on the flora and fauna and rightly so, but it did lack considering the people who travel to our Shire to enjoy the amenity of Flat Rock Tent Park and it did not have any consultation with the Manager's who have the knowledge of the guest's needs and preferences. It also overlooked the safety of children who stay in the park. Currently walkers do pass through the park but these are minimal and walk clearly in the vision of all campers. This proposed asphalt path would encourage a lot more use (as it is intended) but would place the children of the campers in a position vulnerable to strangers, bikes and skateboards.

An alternative option would be to take the path through the bush area as far away from the park as possible from the southern and eastern boundary fences, this could then meet up with the viewing platform (on the public track that goes to the beach) and join the new track that starts adjacent to the platform running north and exiting at the northern section of Flat Rock car park. If the CRP was distanced as far away as possible from the campers, with a densely planted screening along the fence line it would offer privacy, safety, protection from wind and decrease the security risk for campers. The bush area east of the fence on the eastern side of the park is actually an eyesore at the present time with a lot of dead trees and dead branches stockpiled scattered throughout. A recreational path winding through this area would actually enhance it.

This path is called a recreational path, a recreational path should meander through the bushland with observation platforms at our Shire's scenic assets, (as the current section does) not a straight asphalt path. The CRP would miss the most spectacular viewing of Flat Rock if it passes through the park and down the road past the public

Following photos are of bushland east of eastern boundary fence of Flat Rock showing the dead trees and branches





Please don't take away our *Sound of Music* moments...

Dear Councillors and Elected Members,

Re: Grassy headland between Lennox Head and Boulders beach

There are many people in the Lennox Community who oppose a longitudinal path along the coastline on the grassy headland between Lennox Head (Pat Morten Lookout) and Boulders beach.

I moved to Lennox Head from Sydney after taking that walk. I thought to myself "I could live here". A friend recently said to me she reached the top there and started walking down and had a real "sound of music moment". She has recently moved from the Gold Coast precisely to get away from all the concrete and gravel paths.

Her comment made me laugh because it is so true! I see families and people of all ages with a sparkle in their eye as they walk, run or ride down the headland to Boulders beach. You can tell they are on holiday, and feel like they are, because they are racing down a grassy headland to a secluded beach. Where else can you do this?

A longitudinal path is the wrong choice because

1. It is **unnecessary**. There simply is no good reason to do it.
2. **The reasoning that it will improve access for less mobile people is flawed**. Less mobile people are not going to venture so far in the first place - they will not want to stray so far from basic amenities such as toilets, rest spots, their car and to such a steep spot.
3. Access for less mobile people could be increased through a number of **finger paths from the road to coast with minimal aesthetic impact**.
4. It will **completely destroy the viewshed and the uniqueness of the place**, a massive gravel path carving up the hill.
5. It will be **unpleasant to walk on. It will be baking hot and hard**.