

1. **Attendance and Apologies**

2. **Declarations of Interest**

3. **Deputations**

4. **Confirmation of Minutes 14 November 2019**

A copy of the minutes of the previous meeting held 14 November 2019 was distributed.

RECOMMENDATION

That the minutes of the previous meeting held on 14 November 2019 be accepted as a true and correct record.

5. **Business Arising from Minutes – 12 September 2019**

(a) **Youngmans Creek (from the May 2019 meeting)**

At the C Ward Committee in May 2019 the following matter was raised:

It was noted that Youngmans Creek stopped flowing at the causeway earlier this year. It was indicated this is the first time this has happened since the millennium drought. Large volumes of algae is also present in the creek. Condition of the creek to be referred to Council's Environmental Health Section for review.

Water drawing compliance issues should be referred to the Office of Water or NRAR.

It was also suggested Council should consider agricultural land use permissibility in relation to water use. Matthew Wood gave a brief overview of the LEP in relation to agriculture and previous consideration of the regulation of agricultural land uses.

Staff have provided the following update:

Although this is not a direct responsibility of Council, the matter was followed up with the State Government. In this case, after a site inspection and some preliminary research, it appeared that the expected low flows due to the drought conditions were being artificially lowered even further due to alleged unauthorised pumping and unlicensed retention of water in a weir constructed on the creek.

A number of residents were concerned about platypus within Youngmans Creek and other native habitat along the creek for both plants and animals. The creek also feeds the Tuckean Nature Reserve which supports an Endangered Ecological Community.

A number of separate requests were made to the Natural Resources Access Regulator (NRAR) who handle compliance for NSW Government natural resource management legislation, in this case the NSW Water Management Act 2000.

NRAR staff have now contacted Council with respect to removal of the weir. It is understood the weir has been removed and the creekbanks reinstated. NRAR are also conducting an investigation into alleged unauthorised pumping of water.

Council staff are supplying information where required to NRAR staff.

Representation has also been made to staff preparing a new Regional Water Strategy within the Department of Planning Industry and Environment with respect to ensuring that these types of issues are more easily addressed in future.

(b) Bulwinkle Park Improvement Works – Offer of financial support for shelter and seating

At the last meeting Malcolm Johnson asked for a staff member to make contact with the group to discuss the proposed works.

Staff Comment

Council has recently engaged a Landscape Architect to assist in developing plans for Bulwinkle Park. Council's Open Spaces section will be making contact shortly for input into this plan, prior to undertaking public exhibition.

(c) Alstonville/Wollongbar RFS Premises Improvements

At the last meeting Malcolm Johnson enquired about the status of Alstonville/Wollongbar RFS premises improvements (turn around area).

Staff Comment

A Council representative met on site with the adjacent property owner and two RFS representatives in May 2019. It was agreed that RFS are able to use the right of carriage way for turning around trucks at the top of the property. This agreement would only change where the property owner decides to undertake development works on this property.

Since this meeting, Council staff are not aware of any changes to this agreement. Hence, no further action has been taken in relation to improvements to the current property.

Council also contacted the RFS Far North Coast Superintendent, who was not aware of any changes to this agreement.

(d) Devil's Elbow Road Works

At the last meeting Steve Miller enquired about the status of the Devil's Elbow geotechnical survey and road rehabilitation works. Steve is seeking advice on the timing of the rehabilitation works.

Staff Comment

The geotechnical assessment and options report on reconstructing the slip has been completed. A schedule of works to complete the preferred design option is being prepared for commencement of works in May 2020. The work is being combined and planned with the reconstruction of 130m of road surface to minimise the number of construction projects in this constrained area of Marom Creek Road.

6. Presentation by Council Staff

Klaus Kerzinger, Strategic Planner will provide the Committee with a presentation on the Local Strategic Planning Statement (LSPS).

This document sets out the future long term land use planning strategy for Ballina Shire. The draft LSPS contains planning priorities and actions that respond to the challenges and opportunities that the Shire will face in the period to 2040. The LSPS is currently on public exhibition until 20 March 2020. The following is a link to the document on Council's website:

<https://ballina.nsw.gov.au/documents-on-exhibition--179>

7. Council Documents on Exhibition

The following is a list of recent documents that have been placed on exhibition in the period since the last meeting:

Policies Reviewed

- Pressure Sewer Policy (Review)
- Pressure Sewer Property Owner/Property Occupier Manual (Review)
- Pressure Sewer Agreement (Review), closing date 12 February 2020.
- Busking Policy (Review), closing date 12 February 2020.
- Donations – Rates and Charges Policy (Review), closing date 4 March 2020.
- Footpaths and Cycleways – Inspection, Evaluation and Maintenance Policy (Review), closing date 4 March 2020
- Fraud and Corruption Control Policy (Review), closing date 4 March 2020
- Property Investment and Development Policy (Review), closing date 4 March 2020

- Risk Management Policy (Review), closing date 4 March 2020
- Liquor Licence Application Policy (Review), closing date 8 April 2020
- Investments Policy (Review), closing date 8 April 2020
- Fire Asset Protection Zones – Private Use of Public Land Policy (Review), closing date 8 April 2020
- Social Media Policy (Review), closing date 8 April 2020
- Road Closing Applications for Public Roads (Review), closing date 8 April 2020
- Weddings on Public Land Policy (Review), closing date 8 April 2020

The above draft policies have been reviewed as part of Council's normal program of reviewing policies.

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 17/012, 23 Compton Drive, East Ballina**, closing date 14 February 2020

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 2012 in respect to land located at Lot 1 DP 781542 and Lot 3 DP 525783, being 23 Compton Drive, East Ballina and the adjoining public reserve.

The planning proposal seeks to rezone part of Lot 1 DP 781542 and part of Lot 3 DP 525783, 23 Compton Drive, East Ballina from 7(d) Environmental Protection (Scenic/Escarpment) to R2 Low Density Residential, apply a 600m² minimum lot size and 8.5m maximum building height to the land being rezoned R2 and make consequent changes to the Land Application Map and Acid Sulfate Soils Map in the Ballina LEP 2012.

Council has not been authorised as the local plan-making authority and has not been given delegation by the Department of Planning, Industry and Environment to undertake the processes for finalisation of the planning proposal (should it proceed to completion).

- **Planning Proposal BSCPP 19/005 – Rural Industry Definition Change**, closing date 21 February 2020

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 1987.

The planning proposal seeks to substitute the definition of rural industry applicable to Ballina LEP 1987 with the definition of rural industry contained within the Standard Instrument – Principal Local Environmental Plan.

This planning proposal has been prepared in relation to the issue of water extraction for bottling.

- **Draft Ballina Shire Local Strategic Planning Statement 2020 – 2040**, closing date 20 March 2020 (refer presentation by Klaus Kerzinger earlier in the meeting)

Council has prepared a draft Local Strategic Planning Statement (LSPS) which contains the long term land use planning strategy for Ballina Shire. The draft LSPS contains planning priorities and actions that respond to the challenges and opportunities that the shire will face in the period to 2040.

8. Items raised by members of the Committee

(a) Ballina Environment Society – Climate Emergency

Ballina Environment Society would like to take this opportunity to congratulate and thank Council for making the climate emergency declaration in November 2019.

We would now like to ask how this declaration will be reflected in Council operations, including in all relevant internal procedures, management of Council assets, strategic planning, and development assessment and control functions?

Without holistic implementation of climate change mitigation across all Council operations, the declaration has little practical application.

Staff Comment

Council is considering its approach in relation to climate change in the context of a review of Council's Climate Action Strategy. The review of the strategy includes consideration of the various aspects of Council's climate emergency declaration resolution from November.

The review of the strategy has commenced and an initial briefing has been held with the elected Council to discuss the scope of the review and key issues for consideration. Community engagement will be undertaken as the review and strategy preparation process progresses.

(b) Tuckombil Landcare – Stolen Plants - Teven Memorial Park, as per attachment below

Staff have provided a response to this matter directly to Tuckombil Landcare.

Sandra Bailey
Secretary to the
Mayor and General Manager
Ballina Shire Council

Dear Sandra

QUESTION ON NOTICE FOR WARD C MEETING 15 MARCH 2020

As the Tuckambil Landcare representative at the Ward C meeting I would like to give Council advance notice of a question I will be putting to the meeting. My question, on behalf of the TLC committee and members is as follows:

As has been reported by the Tuckambil Landcare (TLC) representative at previous Ward C meetings about 100 plants have been stolen from Teven Memorial Park over the past two years. We have appreciated the assistance of NSW Police in examining photos which we have taken from a camera installed in the park. However, the photos have not been of sufficient clarity to enable NSW police to identify a vehicle associated with the thefts.

Acting on advice from NSW Police, Tuckambil Landcare, at considerable expense for a small group of volunteers, has purchased a more reliable camera.

Prior to the installation of the new camera the existing camera was removed by Council Staff with a Council officer advising that *'Council was advised recently by the police to remove the unauthorised camera from the park and I believe it is yours. Council staff have it here and if so you can have it back. Unfortunately due to legislation requirements cameras cannot just be placed in public areas and the police in this case have requested its removal.'*

TLC made enquiries of NSW Police who strenuously rejected suggestion that they ordered or supported the removal of the camera. TLC understand NSW Police are seeking the identity of the council officer who made this claim.

There have been further thefts since the camera was removed. As recently as 20 or 21 February 2020 a number of valuable plants were stolen. The TLC President has in the past week discussed the situation with the Alstonville Police and they are supportive of TLC's desire to put up the new camera and produce the evidence on which they can then act.

TLC would like to know what needs to be done to enable us to install our new camera?

Regards



Barry Jeffress
TLC Ward C representative
28 February 2020

9. General Business

10. Next Meeting - Thursday 12 March 2020 at 5.00 pm

Thursday 14 May at 5.00 pm

1. **Attendance and Apologies**

Councillor Ben Smith (Chair)
Mayor David Wright
Councillor Eoin Johnston

Pat Carney – Wardell Progress Association
Mary Birch – Wollongbar Progress Association
Jim Hahn – Probus Club of Alstonville
Steve Miller – Rous Mill Ratepayers
Russell Priddle – Alstonville FC
Des Burke – Alstonville Lions
Malcolm Johnson – Ballina Environment Society
Ria Keenan – Alstonville Community Preschool

Others in Attendance

Marilyn Hahn – Probus Club of Alstonville
Marilyn Perkins – Wollongbar Progress Association
Ron Birch – Wollongbar Progress Association
Jeffrey Gibbs – Wollongbar Progress Association

Staff in Attendance

Matthew Wood – Director Planning and Environmental Health

Apologies

Wayne Garrard – Alstonville Cricket Club
Bill Johnson – Alstonville Wollongbar Chamber of Commerce
Barry Jeffress – Tuckombil Landcare
Councillor Sharon Parry

2. **Declarations of Interest**

Nil.

3. **Deputations**

Nil.

4. **Confirmation of Minutes 12 September 2019**

The minutes of the previous meeting held on 12 September 2019 were confirmed as a true and correct record (Jim Hahn/Pat Carney).

5. **Business Arising from Minutes – 12 September 2019**

(a) **Mowing of Park at Rifle Range Road (Old Drive in Site)**

The information provided in the agenda was noted.

(b) **Open Space and Community Facilities Contributions Plan**

The information provided in the agenda was noted.

Marilyn Perkins enquired about the likely timing of community engagement and the process to be applied in relation to infrastructure planning for Wollongbar. Matthew Wood advised that the timing and process is being considered but is not yet confirmed. Local community interest groups will be invited to provide feedback.

(c) **Safety Alstonville Main Street Pedestrian Crossing**

The information provided in the agenda was noted.

(d) **Duplication of Entry Roads into Ballina - Bikeways**

The information provided in the agenda was noted.

(e) **Support Provided by Council to Crawford House**

The information provided in the agenda was noted.

(f) **Bulwinkle Park Improvement Works – Offer of financial support for shelter and seating**

The information provided in the agenda was noted.

Malcolm Johnson asked for a staff member to make contact with the group to discuss the proposed works. To be referred to Council's Open Spaces Section.

(g) **Wardell Shade Shelters**

The information provided in the agenda was noted.

6. **Presentation by Council Staff**

Matthew Wood made a presentation to the Committee on Building Services functions.

Malcolm Johnson enquired about the status of Alstonville/Wollongbar RFS premises improvements (turn around area). To be referred to Operations Support Section for feedback.

7. **Review of Ward Committee Membership**

The information provided in the agenda was noted.

8. **Council Documents on Exhibition**

The list of Council documents recently exhibited for public comment was noted.

9. **Reporting of Safety Related Matters**

The information provided in the agenda was noted.

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

(a) Rous Mill Recreation Area

Steve Miller queried the zoning of the Rous Mill Recreation Reserve, considering various uses which may not be compatible with the zone. Matthew Wood indicated the first step is to confirm the nature of uses that are preferred for further consideration in relation to the zone.

(b) Devil's Elbow Road Works

Steve Miller enquired about the status of the Devil's Elbow geotechnical survey and road rehabilitation works. Steve is seeking advice on the timing of the rehabilitation works. To be referred to Council's Engineering Works Section.

(c) Water Availability and Fire Management

Steve Miller commented on the value of having a fire plan for properties on the Plateau noting that water tanks are running dry and creek systems are drying.

Concern expressed about long term planning for water supply and water for fire fighting by Rous Water.

Councillor Smith indicated Rous Water has a future water supply strategy in development.

Mr Miller queried opportunities for the LEP to limit land uses that require water such as bottled water extraction. Matthew Wood and Councillor Johnston advised that further reporting on the LEP and limitations on bottled water extraction will be presented to Council in the coming months. Mr Miller also suggested there may be benefit in looking at limitations on agricultural land uses that require substantial water.

(d) North Coast Recycling Facility DA 2017/600

Ron Birch asked about the status of DA 2017/600. Matthew Wood advised the application is being reported to the Northern Regional Planning Panel on 20 November 2019 for determination.

Jeffrey Gibbs provided comments on the historic operation of the North Coast Recycling facility. Mr Gibbs tabled emails relating to Council use of the facility in 2016. Matthew Wood advised that Council ceased using the facility in June 2016

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following investigation of the matters raised in the emails. Use was recommenced following issue of an occupation certificate for the facility.

Ron Birch asked whether pollutants from the operation of the proposed facility will be policed.

Mr Gibbs also made comment about Council using the facility and whether this was legal.

Matthew Wood advised that compliance action is being undertaken having regard for the land owner having a current development application under assessment. Operation of the proposed facility in future is subject to the decision of the Northern Regional Planning Panel.

(e) Return and Earn Deposit Station

Malcolm Johnson raised concern about the availability of a drop point in Ballina Shire. Councillor Wright advised the East Ballina Lions is offering collection of collectable items.

Jim Hahn also advised there is a collection facility at Goonellabah.

(f) Various Updates Alstonville

Councillor Johnston noted that Australia vs New Zealand school water polo test matches are to be played at the Alstonville Pool.

Councillor Johnson also noted:

- potential for a soccer club to be established at Wollongbar.
- new fish and chop shop in town operating.
- Christmas carols in the park on 13 December 2019.
- Commonwealth Bank closure not likely to be reversed despite request for reconsideration by Council.

(g) Various Updates Wardell

Pat Carney mentioned the Wardell Christmas Hall light up (7 December 2019) and that the Pacific Highway is likely to have bypassed Wardell by the time of the next C Ward meeting.

(h) Lids for Kids

Marilyn Perkins advised that lids can be dropped to the Alstonville community preschool, Wollongbar chemist or Wollongbar hall.

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11. **General Business**

Nil

12. **Next Meeting** - Thursday 12 March 2020 at 5.00 pm

13. **Meeting Closure** - The meeting was closed at 6.10pm