

1. **Attendance and Apologies**

Members

Cr Sharon Cadwallader (Chair)
Cr David Wright (Mayor)
Cr Keith Williams (via Zoom)
Cr Jeff Johnson

Lorraine Leuckel - Marine Rescue Ballina
Lou Wilson - Lennox Head-Alstonville Surf Life Saving Club
Brad Pollard - Lennox Head Chamber of Commerce
Alan Veacock - Cumbalum Residents Association Inc.
Mike Heesom - Lennox Head Residents Assoc
Shaun Eastment - Lennox Head Landcare (via Zoom)
Geoff Wegg - Lennox Head Residents Association
Darel Vidler - Lennox Head Combined Services Assoc
Jonathan King – Ballina Environment Society

Council Staff

Kelly Brown - Director Corporate and Community Division
Janelle Snellgrove - Secretary

Observers

Nil

Apologies

Cathy Byrne - Ballina Coastcare

2. **Declarations of Interest**

Nil.

3. **Confirmation of Minutes**

That the Minutes of the "B" Ward Committee held on 15 March 2021 be taken as read and confirmed. (Brad Pollard / Lou Wilson)

4. **General Business**

a) **2021 Local Government Election - Saturday 4 September 2021**

Council provided the committee with information relating to the upcoming Local Government Election.

The information contained in the agenda was noted.

b) **Delivery Program and Operational Plan 2021/2022 – 2024/2025**

Council provided the committee with information relating to the Delivery Program and Operation Plan (DPoP) 2021/2022 – 2024/2025.

The information contained in the agenda noted.

a) **NRAR - Know your Rules about Water Compliance**

Council advised the Committee that Natural Resources Access Regulator (NRAR) has launched its Know the Rules campaign to encourage understanding and compliance on the usage of water.

The information contained in the agenda noted.

5. **Outstanding Business – 15 March 2021**

(a) **Hutley Drive Roundabout Traffic**

Mike Heeson advised the Hutley Drive roundabout is causing issues for traffic turning right out of Greenfield Road and suggested speed limit be decreased.

Staff Comment

Civil Services further advise that the site has been inspected by the RMS as part of the process to consider the recent changes to the intersections nearby. The Council has access to traffic incident data to support the general observations and monitoring by Council's technical staff. The feedback from the Committee has been noted and the staff advice is that at this stage no further action is required outside continual monitoring.

The information contained in the agenda was noted.

(b) **Dunoon Dam**

Ballina Environmental Society would like to know Council's attitude to Dunoon Dam negation and Council's position on adopting strong demand management initiatives for Water Resource delivery for Ballina's Future Needs.

Graham Shaw requested clarification on Council water responsibilities and Rous water responsibilities.

Staff Comment

Civil Services emailed Graham Shaw further particulars on Council's water responsibilities on 8 April 2021.

The information provided in the agenda was noted.

(c) Tamarind Drive Lighting

Alan Veacock reported a large amount of wildlife being killed on Tamarind Drive, Ballina. Tamarind Drive lacks street lighting, additional street lighting may reduce the number of animals being hit on the road. Residents of Deadmans Creek Road have erected their own signage to warn drivers to be aware of the wildlife.

Staff Comment

Recently approval was provided to install advisory warning signs for animals crossing Deadman's Creek Road. The installation of these signs is now included in the work program for our road maintenance section. This approval, in part, was supported because of the unique aspect of Deadman's Creek Road being rural and immediately adjacent to wetland areas and an urban estate.

The lighting and flooding for Tamarind Drive was also raised by members at the A Ward committee meeting. The information provided to A Ward was that Council's current roads program and street lighting program does not include a project for the illumination of Tamarind Drive. The draft works program approved by Council is currently on public exhibition for comment.

Staff are currently liaising with TfNSW in respect of a study examining aspects of the drainage in this area. This study may assist to identify options to improve the drainage, reducing the tide and flood impacts on Tamarind Drive.

Staff are also finalising environmental approvals to adjust the drain and weir immediately north of the Deadman's Creek Road intersection as this proposed work has been identified to provide improvements. This work will commence after final environmental approval and when ground conditions allow.

In respect of the risks associated with the water on the road, Council manages these risks through warning signage and when the circumstances require, traffic control officers are deployed to increase the warning with flashing lights etc. The deployment of these resources is not limited to day times.

During the recent period of wet weather, the response also included closing Tamarind Drive to non local traffic.

The information provided in the agenda was noted.

Alan Veacock reiterated the importance of signage.

6. Business with Notice from Members

(a) Coast Road Speed Limit Reduction

Jonathan King raised concerns about speed limit on The Coast Road, East Ballina (Angels Beach) as children cross to access the bus stop for school. It is also requested Council consider the speed zone be reduced on The Coast Road.

Staff Comment

The following was resolved at Council's Local Traffic Committee meeting held on 14 April 2021:

1. *The Road Safety Officer consult with bus stop users regarding possible removal of J pole and relocation of bus stop.*
2. *Results of TfNSW speed zone review be received.*
3. *After receipt of the speed zone review the bus company be given three months notice of the removal of the J pole and request they relocate the bus stop to Bayview Drive.*

The information provided in the agenda was noted.

Jonathan King further requested support from Ballina Council to reduce the speed limit with TransportNSW. Kelly Brown encouraged members to contact TransportNSW directly.

Cr Wright advised he attends the Traffic Committee meetings and this matter is discussed regularly. Council are working with the bus companies to possibly move the bus stop.

The option in the use of the underpass was discussed.

Jonathon further highlighted that between Bayview Drive and Beachfront Parade there are multiple issues and believed reducing the speed will help resolve these issues.

Cr Cadwallader advised that she will put up a notice of motion at the next council meeting to reduce the speed limit to 60 km/hr (between Bayview Drive, and Beachfront Parade, Angels Beach).

(b) Footpath / Cycle Path – Tamarind Drive

The Cumbalum Residents Association requests an update on the future expansion / duplication of Tamarind Drive in terms of the consideration of incorporating a footpath and cycle path.

Staff Comment

Council has commenced a project to develop a concept design for the Tamarind Drive duplication. This concept design includes the process to plan for how shared path facilities can be integrated into the design. The scope of works for this current stage is limited to Kerr Street to North Creek Road. A report on the concept design is not expected to be completed until September 2021. The concept design project includes a public consultation component which is currently scheduled for July/August.

The information contained in the agenda was noted.

(c) Vegetation Maintenance – Southern End of Lighthouse Beach

Lorraine Leuckel from Marine Rescue Ballina raised concerns about the overgrown vegetation at the southern end of the Lighthouse Beach. The vegetation has grown so much that it affects their view of the beach, people in the surf and vessels approaching the Ballina bar from the North. A better view enables them to assist in some emergencies.

Staff Comment

The vegetation referred to contains a littoral rainforest, an endangered ecological community, protected under the NSW Biodiversity Conservation Act 2016. It is also integral to the stability of the beach dune system by ensuring deep-rooted structural capacity in accordance with the Coastal Zone Management Plan, while assisting with mitigating beach erosion and assisting accretion.

When pruning vegetation, compliance is required with the Australian Standards for Pruning of amenity trees. This standard encourages pruning practices that reduce hazards and premature tree death. Within this procedure, the amount of pruning that can occur is subject to individual tree assessments and is dependent on the species, health, age, condition and location of the vegetation.

Pruning of the species identified, in accordance with the standards, would not result in successfully providing the extent of vision that Marine Rescue is requesting from the tower.

The information provided in the agenda was noted.

Lorraine Leuckel expressed her disappointment with the staff comment for this item. Lorraine communicated that pruning was done when the building was erected to allow vision. The role of the Marine Tower is to observe incoming boats from all directions. It is difficult to see the boats approaching North Wall as the vegetation is impeding the view. It is requested pruning is considered to enhance visual on North Wall.

Cr Wright advised he has raised this matter with relevant council staff who confirmed that the vegetation cannot be touched as Council is bound by legislation. The Mayor also suggested investigation into other options such as camera or drones.

Lou Wilson raised this is also an issue with the Surf Club and suggested NSW Biodiversity Conservation Act should be amended to allow critical services being to be able to prune vegetation to allow vision.

Action: Kelly Brown to investigate other potential options with Lorraine Leuckel.

Post Meeting update: Council's Coordinator Risk Management met with Lorraine Leuckel on site to discuss options. Preferred course of action for Marine Rescue was to approach State Government regarding the potential for approval to trim the vegetation prior to investigating any further alternative options.

(d) Marine Rescue Tower – Water Damage Update

Lorraine Leuckel from Marine Rescue Ballina requested an update on the action being taken regarding water damage in the Marine Rescue Tower. There is a water stain on the carpet in the radio room which also needs to be addressed.

Staff Comment

Council staff have contacted Jeff Shepherd from Ballina Rescue Tower on 26 April 2021 and he has had a trade representative from Council visit the site. Repair works are still to be completed.

The information provided in the agenda was noted.

(e) Defibrillator in the Marine Rescue Base Tower – Signage Request

Lorraine Leuckel from Marine Rescue Ballina requested a sign be placed on the walkway on North Wall alerting the public to the fact that there is a defibrillator in the Marine Rescue Base Tower.

Staff Comment

Council preference is for defibrillator signage or defibrillator to be located on the Marine Rescue building, in lieu of additional signage within the reserve.

The information provided in the agenda was noted.

Lorraine explained how the money was raised to purchase the defibrillator and explained that the signage should be closer to the beach as she doesn't believe the sign will be visible enough on the Marine Rescue Tower.

Kelly Brown advised she arrange a site visit to inspect the area and discuss the matter.

Action: Kelly Brown to arrange a site visit to review options for potential placement of defibrillator signage with Lorraine Leuckel (Marine Rescue).

Post Meeting update: Council's Coordinator Risk Management met Lorraine Leuckel on site. The desired location for the signage is on Crown Land not controlled by Council and would therefore require Crown approval. Such approval would need to be directly between Marine Rescue and Crown.

(f) Temporary Floodlights for Filming – Pat Morton Lookout

Jonathan King raised concerns about the environmental impact of temporary floodlights used on Pat Morton as part of film production.

Staff Comment

Prior to the issuing of Council approval, the production company was required to gain consent from the Cape Byron Marine Park and TfNSW – Marine

specifically regarding the use of bright lights and night filming in this environmentally sensitive area.

Cape Byron Marine Park provided approval for the temporary installation of lighting for filming purposes at Pat Morton Lookout, giving specific consideration to turtle nesting season and the impact of lights and filming in this environmentally sensitive location. Council also had environmental monitors on site to ensure compliance with other environmental conditions imposed on the filming event.

The information provided in the agenda was noted.

(g) 4WD on Seven Mile Beach

Mike Heesom from Lennox Residents Association raised concerns about the 4WD vehicles on Seven Mile Beach. The issues being there are too many vehicles, speeding, harassment and reversing into the dunes disturbing habitat.

Staff Comment

Council continue to monitor and enforce appropriate behaviours in accordance with the adopted Seven Mile Beach 4WD Policy. Council has engaged additional police patrols to supplement regular compliance inspections undertaken by rangers, as well as the use of surveillance cameras to regulate activity.

Council has previously resolved to further consider 4WD usage at Seven Mile Beach as part of the Ballina Coastal Reserve Plan of Management review.

The information provided in the agenda was noted.

Geoff Wegg advised that Lennox Head Residents Association are in the process of writing to the General Manager about this matter. Geoff requested the status of the Ballina Coastal Reserve Plan of Management.

Mayor advised there is a 10% increase forecasted for the permits and yearly or 6 monthly passes will be available.

Cr Johnson advised he currently has a notice of motion to remove the day passes and implement a system where only local Ballina shire vehicles be able to purchase permits. Cr Johnson discussed some data he had obtained two years ago and the data indicated statistics on NSW and QLD residents usage and number of vehicles that did not obtain permits. Gate access was raised as a potential option.

Cr Cadwallader advised the beaches are for all residents.

Lou Wilson supported Cr Johnson's Notice of Motion.

Geoff Wegg raised concern that there could possibly be more non-compliant vehicles access the beach if the day passes are removed.

Action: Kelly Brown to provide a status on Ballina Coastal Reserve Plan of Management timeframe.

Post meeting update: It is anticipated that this plan will be completed in 2021/22. Council is requiring further information from Crown Lands Department to assist with this process.

(h) Speed Limit Reduction Update – Lennox Head to Flat Rock

Mike Heesom from Lennox Residents Association would like a status update on the speed limit reduction (from 80km/h to 60 km/h) from Lennox Head to Flat Rock.

Staff Comment

Councils in NSW don't regulate speed limits, this is done by Transport for NSW (TfNSW, formerly RMS, RTA, DMR).

Council has not yet been advised by TransportNSW of any proposed changes to the speed limits to date. This matter has been referred to Traffic Committee which comprises of representatives from RMS, Police and Council.

Kelly Brown corrected the staff comment and advised the matter has been referred directly to TfNSW and they have advised Council by email that this speed zone review has been added to their list and the outcome will be forwarded to Council when available. They anticipate this will be completed late 2021.

The updated information was noted.

(i) Airport Take-off Zones

Mike Heesom would like discuss airport take-off zones in particular planes flying over Lennox Head.

Staff Comment

Aircraft arriving and departing Ballina Byron Gateway Airport are not operating under the direction of Air Traffic Control but must apply a number of required safety and company operating procedures when both approaching and departing the aerodrome. Pilots must ensure they operate to avoid conflicting aircraft movements in the area, maintain awareness for terrain and weather conditions, as well as climb rates dependent on aircraft performance and capabilities.

Almost all of the large aircraft traffic that flies to Ballina fly from southern ports. When the wind direction is from a general southern direction, these aircraft will land and takeoff to the south. In the landing phase a majority of these aircraft will have flown up the coast, crossing to over water around Wardell/Evans Head and then will continue past Ballina over water to turn and land to the south. This track occurs in visual conditions. In instrument conditions they will fly over land to the west of the airport and make a right hand turn to land using what is called an RNP Approach.

When a general northerly (wind) conditions exist they will take off towards Lennox Head. The flight path is straight from the airport until over water and at

a minimum safe height and then generally a left turn to head back south. However there is an option to make a right turn in visual conditions.

Airline operated aircraft will only use a safe designed procedures that have been assessed by the airlines concerned and considered a Standard Operating Procedure that is predictable and within the flight performance of the aircraft.

The information provided in the agenda was noted.

Mike Heesom discussed the acute angles the airlines take off on. Residents are concerned about the acute angles the planes do over Lennox Head when there is a large available departure envelope.

Post Meeting update: It has been clarified by the Airport staff that these decisions are made by the Pilots of the operating aircraft. Council has no control on the pilot's decision or control over the airspace.

4WDs on Seven Mile Beach

Shaun Eastment advised that in 2020 Lennox Head Residents' Association were informed that concerns about 4WD access to Seven Mile Beach were best addressed as part of the review of the Coastal Reserve Management Plan. The date for this to be finalised was provided as June 2021. Lennox Head Landcare have noted that a separate Policy on 4WD Access to Seven Mile Beach was adopted by Council in September 2020. As Councillors and staff are all aware we, and many others in the community have been waiting for the opportunity to have input into a review. Shaun has requested clarity on how they can provide input.

Staff Comment

Lennox Head Landcare's submission was considered by Council at the September 2020 meeting where it was resolved that the preferred approach to reviewing 4WD access to Seven Mile Beach is through the scheduled review of the Ballina Coastal Reserve Plan of Management (POM).

The review of the Coastal Reserve POM is planned to commence following the completion of the Community Land POM, which is currently pending reporting post exhibition and endorsement by Crown Lands.

The Coastal Reserve POM review will have a formal consultation process to enable the consideration of community feedback.

The information provided in the agenda was noted.

Shaun Eastment requested an update on the timeline for Ballina Coastal Reserve Plan of Management.

Action: Kelly Brown to provide a status on Ballina Coastal Reserve Plan of Management timeframe.

Post Meeting update: It is anticipated that this plan will be completed in 2021/22. Council is requiring further information from Crown Lands Department to assist with this process.

(j) Lighting guidelines - Dogs in the Coastal Reserve and Biodiversity Strategy

Lennox Head Landcare would like to make a formal expression of thanks to Council staff involved in following up on our requests for action on incorporating The National Lighting Guidelines for Light Pollution and on addressing the non-compliance of dogs on-leash in the Coastal Reserve. Also for the details on preparation of the draft Biodiversity Strategy.

Expression of gratitude was referred to Development and Environmental Health Division.

The information provided in the agenda was noted.

(k) Paid Parking

Brad Pollard requested information pertaining to the upcoming council report on the installation of paid parking.

Item 4.4 Motion in support of receiving a report on the installation of paid parking and/or smart sensors for improved parking management, with any additional revenue generated to assist in funding increased resources and increased capital infrastructure renewal, with an exemption for Shire residents.

Will the report be focussing just on Lennox or is it a report that considers paid parking and/or parking sensors for the wider shire i.e. including Ballina CBD, Alstonville CBD, popular tourism sites (Pat Morton, Killen Falls etc)?

What is the likely timing of the proposed new car parking contribution plan for Lennox Head?

Are new car parking spaces close to the Lennox CBD being planned for Lennox Head and if so, what is the likely timing of their construction?

It is also requested the following questions be addressed in the report:

- Advantages / Disadvantages: What are the advantages and the disadvantages for Business of introducing paid parking and/or parking sensors?
- Likely Revenue by Town Centre: Can the report indicate which town centres (or tourism sites) are likely to generate the most revenue from paid parking and/or parking sensors i.e. Ballina CBD, Lennox, Alstonville?
- Return on Investment: Ballina Shire towns don't have a constant stream of visitors throughout the year, unlike Byron. While many consider paid parking to have been a success in Byron, given the differences in tourism numbers between Ballina Shire and Byron Shire, does this present issues in terms of return on investment?
- Dividend Reinvestment: If paid parking and/or parking sensors were implemented in Lennox Head, could the financial dividend be invested in

Lennox Head or will it go into general revenue and shared by all shire residents?

- New install vs Retrofit: What is the likely cost differential in installing paid parking and/or parking sensors during a town centre upgrade project vs say a retrofit project in Ballina CBD? An argument has been made that these measures be implemented in Lennox first because of the timing of LVV however is the cost differential really that significant?

Staff Comment

The Council resolution to prepare a report on paid parking was for the entire shire, not just Lennox Head.

The resolution is:

That Council receive a report on the installation of paid parking and / or smart sensors for improved parking management, with any additional revenue generated to assist in funding increased resources and increased capital infrastructure renewal, with an exemption for Shire residents.

There is currently no budget allocation for paid parking.

Council staff are currently preparing information to report to June Ordinary Council meeting.

The information provided in the agenda was noted.

The Mayor commented on the vehicles that park all day (every day) and clarified the parking options being explored. Brad Pollard supported optimizing parking in Lennox Head.

7. Business without Notice

a) Surf Life Saving Update

Lou Wilson advised the season is over and the club has an under 14 girls Australian Champion. Another successful year for the club.

b) Lennox Head Chamber of Commerce Update

Brad Pollard advised the Lennox Head Chamber of Commerce are proposing a networking event mid June. A Council staff member will be talking about the Lennox Head upgrade.

c) Draft Climate Policy

Jonathan King reiterated support for the draft Climate Change Policy and congratulated Council for the employment of the new role. Jonathan requested an estimated due date be provided.

Action: Council to confirm if June is still the completion due date for the draft Climate Change Policy.

Post Meeting Update: The policy exhibition process and a community survey surrounding ideas for climate change action in our community will commence on Wednesday 19 May and will cease on Wednesday June 2021.

d) **Cumbalum Interchange / Ramps**

Alan Veacock advised that he has been in contact with The Hon Catherine Cusack, MLC who has met with the Minister. Photos and videos of the exit ramp during the last flood with people on the on / off ramps were provided to Minister Toole.

The response received was the matter will be addressed when the Highway is completed.

Cr Wright advised that he has discussed the matter with the Minister and Council's Director Civil Services have written twice on this matter.

e) **Flooding on Ross Lane**

Daryl Vidler asked if Council has any flood solutions for Ross Lane.

Cr Wright advised that Council has black spot funding to help address the flooding issues on Ross Lane and Council has engaged a consultant to work on flood modelling in this area.

f) **Clubhouse Management - Epiq**

Daryl Vidler enquired who will be managing the Epiq clubhouse.

Kelly Brown advised the clubhouse will initially be managed by Council's Community Facilities staff. This will be trialled for six months before Council considers whether to lease or licence the clubhouse.

Post meeting update: Proposed fees and charges for this new facility will be reported to the June Ordinary Council meeting. It will be recommended that sporting groups that use the adjacent sporting fields as their home ground be exempt from paying fees.

g) **Public Carpark at Lake Ainsworth**

Geoff Wegg raised the issue of Lake Ainsworth Caravan Park parking overflowing into the Lake Ainsworth public carpark. When the caravan park is busy the overflow is filling the carpark and parking for long periods of time.

Geoff requested Council consider making it is not permissible for the overflow from the caravan park to park in the Lake Ainsworth public carpark.

Cr Johnson advised he put up a Notice of Motion to have no parking signs between 1 am and 5 am in the Lake Ainsworth Public carpark but wasn't supported as Rangers couldn't resource monitoring the carpark. Part of the problem is the caravan park tent sites don't have parking provision with the caravan park.

Cr Cadwallader suggested restricting the parking to after business hours.

It was noted that this matter has been previously considered by Councillors and that at this stage no changes to Council's processes are proposed.

8. Council Documents on Exhibition

The list of documents currently on public exhibition was noted.

Brad Pollard commented on the road naming decisions policy and encouraged Councillors to include consideration for longevity of names for the wider community such as flora and fauna.

9. Next Meeting

Monday 19 July 2021 – 4.30 pm

10. Meeting closure

5.45 pm