

Submissions to Draft Plan of Management for Community Land 2021

Submission #1

Feedback for Documents on Exhibition

Submitted At

2021-03-03 11:44:51

Name of exhibited document you want to make comment on.

Draft Plan of Management for Community Land 2021

Your Name

Deb Langfield

Phone Number

0448264736

Your email?

deborah.langfield@icloud.com

Having read the document, is it easy to read and understand?

Yes

Please provide any suggestions for improvement.

You state - Sportsgrounds are provided with appropriate facilities and maintenance and are made available for the use of sporting clubs.

Not entirely true - the new clubhouse at EPIQ - has no changeroom facilities for women - even this was rased as a concern in the original design. W wish to upgrade old toliets into a womens change facility at Williams Reserve, but there are too ,any hops to jump through. Just a reminder it is 2021 - and women play sport! To be made to get changed out in the open or in a sports store room is not good enough and is discriminatory. It needs to be ammended,so there is equal access for everyone playing sport.

Do you support the overall objectives and content of the document?

Yes

I agree to Ballina Shire Council collecting my Name, Email, and Phone Number

I agree

Submission ID

603edc03051f6362ec0d2bfa

Submission #2

Feedback for Documents on Exhibition

Submitted At

2021-03-04 17:00:40

Name of exhibited document you want to make comment on.

Draft Plan of Management for Community Land 2021

Your Name

L Keane

Phone Number

0410144555

Your email?

hereslaurie@yahoo.com.au

Having read the document, is it easy to read and understand?

Yes

Please provide any suggestions for improvement.

I am providing feedback on the DRAFT BALLINA SHIRE PLAN OF MANAGEMENT FOR COMMUNITY LAND 2021. Suggested wording and category changes to Table 6, TABLE OF SPECIAL CONDITIONS.

Page 31 - RESERVE: EPIQ PLAYING FIELDS 3104801.

1. Under AUTHORISED USES, add the words in brackets [] to the first sentence: "Use of facilities for sporting, recreational, [service clubs] and community activities..."
2. Under AUTHORISED USES, add the word in brackets [] to the second sentence: "Buildings for purposes of amenities, canteen, clubhouse, [storage] and community use in..."

Page 31 - PROSPECT LAKE RESERVE 2302802.

1. Under AUTHORISED OCCUPATION, add the sentence: "Exclusive occupation of facilities, amenities, and storage buildings by incorporated bodies as appointed by Council."
2. Under AUTHORISED USES, add the sentence: "Use of facilities for sporting, recreational, service clubs and community activities and any other related uses as authorised in writing by Council."

Page 30 - RESERVE: CHICKIBA PARK 2303705.

1. Under CATEGORY, change category "S" to "GCU".
2. Under AUTHORISED USES, add the words in brackets [] to the first sentence: "Use of building and facilities for sporting, [service club, community] and recreational facilities and..."
3. Under AUTHORISED USES, change the word 'clubhouse' to 'building' in the third sentence so as to read: "Small to medium scale building adjacent to..."

Page 30 - RESERVE: BALLINA HEIGHTS PLAYING FIELDS 2406101 (or 2401601?).

1. Under CATEGORY, change category "S" to "GCU".
2. Under AUTHORISED USES, add the words in brackets [] to the first sentence: "Use of facilities for sporting, [service club, community] and recreational activities and..."

Page 33 - OCEAN BREEZE RESERVE 3102601.

1. Under AUTHORISED OCCUPATION, change the word 'body' to 'bodies' so as to read: "Occupation and use of land by incorporated bodies as..."
2. Under AUTHORISED USES, add the words in brackets [] to the first sentence: "Use of land for recreational activities, [storage, community] and other related uses consistent with a Council endorsed master plan..."

Page 35 -TINTENBAR RECREATION RESERVE 1103901.

1. Under CATEGORY, change category "S" to "GCU".
2. Under AUTHORISED USES, add the words in brackets [] to the first sentence: "Use of facilities for sporting, recreational, [service clubs] and community activities..."
3. Under AUTHORISED USES, add the word in brackets [] to the second sentence: "Buildings for purposes of amenities, canteen, clubhouse, [storage] and community use in..."

Do you support the overall objectives and content of the document?

Yes

Please provide further comments if you wish.

Yes, I "support the overall objectives and content of the document" so long as the plans and opportunities as outlined are proactively put into practice by Council when they are approached by local community associations.

I am making this submission because, even though the Plan of Management for Community

8.6 Plan of Management for Community Land - Crown Land Integration

Land allows for it, in practice service clubs and other non-sporting incorporated community associations in the shire find it next to impossible to access a Council lease on public land for the building of community storage and other facilities. I have focussed my proposed changes here on Council managed space in Ward-B and Tintenbar.

I live and work in Ward-B, and as well do a variety of volunteer community work in the shire.

If you wish your feedback to remain confidential please provide reasons for this.

No need for confidentiality, just don't publish my ph no or email address please.

I agree to Ballina Shire Council collecting my Name, Email, and Phone Number

I agree

Submission ID

60407788957a3c245411c0e4

Submission #3

7th April 2021.

Wollongbar Progress Association Inc,
birchron9@gmail.com
WOLLONGBAR. 2477

Mr R. Hickey, General Manager,
Ballina Shire Council,
BALLINA. 2478

Attention: Leah Toole,

Submission on Ballina Council Draft Plan of Management for Community Land 2021.

1) Categorisation: Natural Area - 'bushland' (p.14):

For Wollongbar community, the most important area of environmental significance is the Rainforest Remnant off Dalmacia Drive, with a perimeter of 1.7kms.

This unique remnant of the original Big Scrub is a significant natural area within Ballina Shire; in fact, this is the only remnant of temperate sub-tropical rainforest within an urban area in the state of NSW; thus, it must be recognised, protected and preserved.

Original cedar trees were removed by previous owners, but seeds were collected from the last trees almost thirty years ago, germinated and planted back into the rainforest. Those cedar trees are now well on the way to maturity, and are easily seen throughout the remnant. The White Booyong, and other specimens, are original Big Scrub trees.

A significant amount of work by Landcare and Community groups, and TAFE students, was undertaken during the '90s and 2000s.

The current draft POM Community Land has this area designated as 'bushland', along with other areas of bushland within the Shire. This designation does not indicate the significance of the Rainforest or its importance to Ballina Shire as a unique environmental asset.

2) Categorisation: Natural Area - 'watercourse' (p.14):

Within the rainforest remnant, two creeks converge: Maguires Creek and another. These watercourses run through the whole area, and harbour and support many plant and animal species; as well, because of the terrain, the creeks form small waterfalls at various places, creating delightful natural places. Two waterfalls are indicated on old maps of the area.

The creeks are not acknowledged in the Draft POM, although the picture on page 14 of the Draft POM appears to be of one of them. These creeks are special watercourses, and should be recognised as such.

Our Association believes this whole area should be treated as a special and unique place, with a Management Plan developed to protect the Rainforest and its watercourses. We

urge Council to develop a particular POM for this Big Scrub Rainforest Remnant, as this would better allow *"the Shire to focus its attention on the dominant character of the land, and the operational management of the asset"* (p.14, Draft POM Community Land, 2021) .

WPA would be happy to assist Council with historical records and other pertinent information.

3) Section 3: Performance and Assessment (from page 22):

The headings for this table are Performance Target, Means of Achievement, and Manner of Assessment.

The Manner of Assessment doesn't appear to clarify how the Performance Targets will be monitored, or how assessment will be calculated.
As one example, under Native Vegetation, the Target is ***Protect environmentally significant stands of native vegetation.***

The Manner of Assessment is ***Ecological values of significant stands of vegetation are maintained and improved.***

This statement doesn't define how any improvement/s will be gauged.
The Manner of Assessment column seems to contain statements, rather than explain how areas will be assessed.

4) District Sports Fields:

The large picture of an impressive fig tree on page 9 appears to be the fig tree at the Sports Fields between Alstonville and Wollongbar.

These Sports Fields are not included in the Draft POM Community Land because they are on Operational land, a Council decision of 2011. This seems a rather unusual situation for outdoor community amenities. The POM appears to include all the other sports grounds, parks and recreational outdoor spaces as Community Land.

The community at large would not understand why these Sports Fields and open spaces that cover a large area would be designated as anything other than Community land; indeed, the community may have concerns about the future use of this large area that lies within the Buffer Zone, given the definition of Operational Land includes the statement:

*Council is able to deal with this land without restrictions under the LG Act.
Council may deal with operational land in the same manner as any other person may deal with private freehold land* (Draft POM, Operational Land , p.6).

The recent example of the ALEC in Alstonville has raised community awareness of the downside of this designation (Operational Land) for community facilities.

Council's consideration of these four points relating to the draft Community Land Plan of Management is appreciated.

Wollongbar Progress Association Inc,
Wollongbar.

April 2021.

Submission #4

5th April 2021

Submission on Ballina Council *Draft* Plan of Management for Community Land 2021.

To whom it may concern

I am writing to draw your attention to a specific parcel of Lot 132 DP 261579 referred to in your draft POM for Community Land as Ocean View Reserve designated for General Community Use.

This land is in fact native bushland, called the Valley Drive Reserve, and has been enhanced and maintained as such since 1986. I have attached our Landcare pamphlet for your information.

James Brideson, Natural Resource Office Ballina Council, is aware of this Reserve and it's POM completed by Stewart Hanna.

I believe that the Plan should be amended

1. to reflect the true categorisation of Lot 132 DP 261579 as "Natural Area – bushland " and
2. "Natural area – watercourse" as it is the headwater for Chilcott's Creek, which should be named.

I also support the Wollongbar Progress Association's suggestion to develop a particular POM for Big Scrub Rainforest Remnants as this would allow "the Shire to focus its attention on the dominant character of the land, and the operational management of the asset" (p.14, Draft POM Community Land, 2021 .

Yours sincerely

Jane Gardiner

16 Valley Drive Alstonville 2477

Valley Drive Reserve
Alstonville

Western Chilcott's Creek
Environmental Restorers



When:
10-12 am, last Sunday each month.

Where:
Pump station at end of access road.

Contact: Judy Allen 6628 1458

- What can you get out of it?**
- ✓ Help preserve a natural asset for future generations.
 - ✓ Learn about our unique native plants and animals.
 - ✓ Enjoy being out in nature – so close to you!
 - ✓ Learn about weeds and how to keep them out of your own garden.
 - ✓ Get to know your neighbours.
 - ✓ Encourage young folk to value and enjoy their natural environment.



March 2014



How can you help?
Firstly, don't add anything to the bush that will be a problem later. Apart from the obvious rubbish, that means no plants or cuttings that will propagate. It also means keeping pets out so that the wildlife has a chance.

You are welcome to come along whenever you are able. We try to work for about two hours on the last Sunday of each month. We have most of the necessary tools to share.

Our main activity is still removal of weeds, with some planting to fill in the gaps. But you would be amazed at how well the existing native plants can do given half a chance.

Remember to bring old boots/shoes, hat, water and plenty of insect repellent.

History

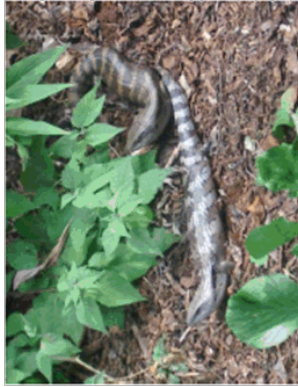
After clearing of the "Big Scrub", this area was used as Stacey's dairy farm until the 1980's. The Reserve of about 7 hectares was the area surrounding the headwaters of Chilcott's Creek, left after subdivision. The Alstonville Garden Club, led by Stuart Miller, organised plantings and in 1986 eucalypts and other species were planted towards the western end, followed by Bangalow palms in the middle towards the pump station, while there are some remnants of the original forest from there to the Tropical Fruit Research Station.

While some informal tidying up was done previously, the Landcare group was formed in 2002. This was greatly supported by EnvITE, led here by Stuart Hanna. The work has also been supported by Ballina Shire Council and Australian Government grants.

During this time a small group of residents whose properties adjoin the Reserve have been toiling away, mainly removing weeds and undertaking in-fill plantings.

What's here?

The Big Scrub remnant at the eastern end has mainly forest trees, such as Blue Quandong, Red Bean and Red Cedar, with Cordylines, Basket Grass, Native Violet and Birds-nest Fern.



In the late 1980's, Primary School children and others planted the mid-section with Bangalow Palm, Blue Quandong, Red Kamala, Foam-bark, Guioa, Hoop Pine, Gudgeon, and there are also Native Raspberries, Pelargonium, Violet and Trad.

The Western Section has mainly trees such as Eucalypts, including flooded gum.

Of course there are also many weeds. The main ones are Camphor Laurel, Jacaranda, Tabbebonia, Cocos Palm, Umbrella Tree, Lantana, Privets, Cestrum, Coffee, Tobacco Bush, Murraya, Blue Billy Goat, Ink Weed, Passionfruits, Madeira Vine, Climbing Asparagus, Fishbone Fern, Mist Flower, Impatiens.

Some of the Reserve is grass that the Council mows as required.

Among the mammals seen here are Swamp Wallaby, Koala (?), Possums, Bandicoot, Echidna, Fox (not good), Carpet Python, Brown Snake, Whip Snake, Water Dragon, Blue-tongue Lizard, Frogs and even a Platypus! Occasionally flying foxes.

Birds include King Parrot, Rainbow Lorikeet, Scaly-breasted Lorikeet, Eastern Rosella, Kookaburra, Magpie, Butcher Bird, Currawong, Raven, Galah, White Cockatoo, Crested Pigeon, Forest Pigeon, Brown Pigeon, Wonga Pigeon, Top-knot Pigeon, Satin Bowerbird, Catbird, Tawny Frogmouth, Finches, Silvereye, Wrens, Swallow, Pheasant Coucal, Noisy Miner, Blue-faced Honeyeaters, Rail, Ibis, Heron, Egret and Plover. Also various hawks overhead.

Why do you want it?

- ✓ Recreation – relaxing.
- ✓ Preserves some of our pre-European environment.
- ✓ Pleasant to look onto.
- ✓ Play area for children.
- ✓ Privacy buffer between houses across the valley.

Access

You can get there through two public accesses in Valley Drive, as well as the Sewerage Pump road off Cedar Court. Now that the worst of the weeds are under control, you can walk through the whole Reserve.

Submission #5

Feedback for Documents on Exhibition

Submitted At

2021-04-05 16:14:12

Name of exhibited document you want to make comment on.

Draft Plan of Management for Community Land 2021

Your Name

Ballina Croquet Inc.

Your email?

ballinacroquet@gmail.com

Having read the document, is it easy to read and understand?

Yes

Please provide any suggestions for improvement.

The information in the document should be accurate The Plan should enable community members to understand the legislative framework, the application of the relevant Council policies and have confidence that the Plan accurately conveys the status, history, use, license and lease holders of Crown Land managed by Ballina Shire Council. The Draft Plan does not achieve this in relation to Hampton Park Reserve.

CASE STUDY - TABLE OF SPECIAL PROVISIONS (page 27)

Facts:

Reserve/Park Name Address: Hampton Park/Ballina Croquet Club 69 Burnet Street, Ballina Lot 562 DP 1119965.

- 2005 Plan of Management Hampton Park Reserve was gazetted and adopted. Agreements made. Ballina Croquet Club was relocated to Lot 562 DP 1119965 in a replacement clubhouse and 2 courts provided by Ballina Bowling and Recreation Club Limited (Cherry Street Sports Club, the bowling club) for the old croquet area to remedy the encroachment of the Bowling Club on the original croquet area.
- The PoM has not been adhered to by major stakeholders including Ballina Shire Council, Lands Department and Ballina Bowling and Recreation Club Limited (Cherry Street Sports, the bowling

club) as the license for the new croquet area has been allocated to the Bowling Club despite the provisions of the POM.

Ballina Croquet Club is listed as "authorized uses – use of facilities for sporting and recreational activities and any other related uses as authorized by ...small scale alterations and additions to authorized buildings on the site subject to development consent requirements". Reality:

- 2007 – April 2010 this was the case. Ballina Croquet Club had the site lease with authorized use for croquet and related activities 7 days per week.
- 2009 (April 2010 Cherry Street Croquet – a sub-club of the bowling club is formed. Croquet lease given to the bowling club. Lease backdated to October 2009. The site can only be used for croquet and related activities.

Ballina Croquet authorized use was reduced to 3 days per week. 2009 – 2021 the bowling club was given the lease contrary to the 2005 PoM Hampton Park Reserve.

Ballina Croquet Club is listed as having "authorized occupation: exclusive occupation of clubhouse, amenities, and storage buildings by incorporated bodies as appointed by Council."

Reality:

- Ballina Croquet Club does not have exclusive occupation.
- Ballina Croquet is an incorporated body.
- The Bowling Club is not an incorporated body.
- The sub-club Cherry Street Croquet is not an incorporated body.
- The croquet lease was backdated to October 2009 and given to the Bowling Club. The sub-club was not formed at that time. The Bowling Club plays bowls hence assigning the license to the Bowling Club breaches the POM.

We submit that the purpose of the POM is to maximise the benefits to those who use the facility and that this should be transparent and binding.

Ballina Croquet - SECTION History, N/A.

- Other parcels of land in the Table of Special Provisions have details of relevant history. It is appropriate for transparency and credibility that the history of Hampton Park is summarized.
- 12 years of variation to 2005 PoM Hampton Park, without formal consultation or public exhibition of variations and disregard of agreements made with the Ballina Reserve Trust Committee, Ballina Shire Council, Ballina Croquet Club and the bowling club are applicable and relevant and should be disclosed.

Do you support the overall objectives and content of the document?

Yes

Please provide further comments if you wish.

Do you support the overall objectives and content of the document? Yes

The document is an important effort to provide definition, information, legislative and regulatory context for various forms of Community Land managed by Ballina shire Council.

Our concern is that the information about the parcel of land we are familiar with (Hampton Park) raises concerns that a well-presented document does not necessarily reflect the real application of the principles and processes espoused in the document. Therefore how accurate is the material that relates to the vast portfolio of land listed in the Specific Provisions table?

The statements, questions and queries arise from Ballina Croquet's review of the document and our experience with the Hampton Park POM

Given the document deals with the management of community land why aren't lease and license holders, expiry dates for leases and licences, and fees charged listed in the Special Purpose Table or listed in the Land Register?

If you wish your feedback to remain confidential please provide reasons for this.

Concerns over possible reprisals in relation to speaking up exist. Our club has undertaken this review in order to move Ballina community forward.

Ballina Croquet has been working tirelessly in collaboration with council towards relocating, growing its' sport, and establishing a regional centre at Cawarra Park and do not want our efforts jeopardized.

Croquet Development Working Group (CDBWG), Ballina Croquet Inc

Date: 4th April 2021

Do you need to attach something?

[29.03.18Ballina CroquetIncCritiquet of 2005PoM.pdf](#)

I agree to Ballina Shire Council collecting my Name, Email, and Phone Number

I agree

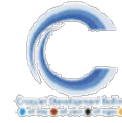
Submission ID

606aaab4b39e9a7e63574149

Attachment to Submission by Ballina Croquet Club Inc.:



**A Critique of the 2005 Plan of Management for
Hampton Park**



BACKGROUND ISSUES:

A critique of the current 2005 Plan of Management, Hampton Park Reserve (PoM) its flaws and inaccuracies reported on to emphasise that Ballina Croquet has suffered disadvantage and reinforces our submission to relocate as a matter of necessity and urgency.

Why is it necessary for the PoM to be reviewed?

Why Ballina Croquet cannot stay on the current croquet site?

Why Ballina Croquet should be supported and compensated by Ballina Shire Council (BSC) and Cherry Street Bowling Club (CSBC)?

Outcomes:

Through discussions with Ballina Shire Council (BSC), it is agreed that the current croquet site and situation is untenable for all parties. Ballina Croquet cannot stay. Ballina Croquet has no say particularly in addressing Workplace, Health and Safety (WHS) issues relating to croquet and members. Ballina Croquet has no future as a viable independent sporting club. Ballina Croquet must relocate. Any expansion of croquet is not accommodated within the PoM. Changes to the PoM requiring time consuming review, with an uncertain outcome, there is legislation pertaining to Crown Lands is being amended creating more uncertainty about the prospects of any changes to Hampton Park's use; there is a Native Title claim over the recreational area and a licence has been issued to Cherry Street Bowling Club (CSBC, The Ballina Bowling and Recreation Club Ltd.). CSBC and Cherry St Croquet (sub-club of the CSBC) report no support for the expansion of croquet on this site in Ballina.

1. **No scope for the expansion of croquet in the current PoM and on the current site**
Figure 6 of the PoM is a concept plan outlining the development strategy. There is no scope for the expansion of croquet facilities in the current schematic diagram. Without additional facilities (an additional 2 courts) the future expansion of croquet in Ballina is not possible regardless of demonstrated need for enhanced croquet facilities.
2. **There has been no review of the current PoM since its adoption in 2005.**
3. **This critique of current PoM and its flaws and inaccuracies is needed to emphasise that Ballina Croquet has suffered disadvantage and reinforces our submission to relocate with priority for site allocation.**

The PoM acknowledges that a review/alteration of the PoM may be necessary. Item 1.10 states 'Alteration of the adopted PoM may be undertaken under Section 115 of the Act and may be required after a period of five years to keep abreast of government policy, to cater for the changing expectations and requirements of the community and to ensure the PoM remains useful and relevant'.

Department of Primary Industries - Lands, Reserve Trust Handbook Page 49 addresses updating Plans of Management

"The desired outcomes of the plan of management should be relevant for five (5) to ten (10) years. At regular intervals, as per the timeframe of the plan, the management strategies should be reviewed and updated if required. The fact that a plan of management has Ministerial approval does not mean that the management direction cannot change in the future. Ministerial approval can be given to amend a plan provided the proposed changes have firstly been exhibited for public comment. However, once the reserve trust has completed its first plan of management, review and update of this plan should not be a difficult or time-consuming process because a large part of the contents will not change. Nevertheless, it may also be that while, for example, the purpose of the reserve will stay the same, the values and expectations the community puts on the reserve may

change over time. The process of reviewing plans of management helps to articulate such changes in value and may lead to a proposal to change the purpose of the reserve."

As the current PoM was adopted in May 2005 (nearly 13 years ago) it is fair and reasonable to request a review with a view to updating the plan to accommodate the urgent need for increased croquet facilities in Ballina.

4. Under-Utilisation

Current under-utilization of the Hampton Park Reserve as a 'venue for the playing of small area games'. This was identified in the PoM 2005 (4.4) and continues to be relevant in 2018. It is understood there is currently an Aboriginal Lands claim over the recreational area which may impede the resolution of our concerns.

5. Does the current plan contain inconsistencies?

For example: PoM 4.1 states 'The Vision for the Reserve is:

To provide a premier venue for the playing of small area games and to maximise the synergies between the Reserve and the recreational activities of the Ballina Bowling and Recreation Club on the adjoining land.'

We ask 2 Questions: Is parking a recreational activity? Does 'the adjoining land', refer to the land leased/occupied by the Ballina Bowling and Recreation Club that adjoins Hampton Park Reserve?

If the answer to the first question is 'no' and the second question is 'yes'; it poses further questions

- Why does item 4.2 of the PoM state under Management Principles '3. To provide the necessary services such as parking'?
- Why is it proposed that the CSBC be provided with vehicular access and parking via Hampton Park Reserve?
- Can the CSBC show evidence that it has taken measures 'to confine its activities and impacts wholly within its own lease area' as part of its long-term planning? (Item 3.3 Vehicular Access and Internal Parking).

PoM informs "The CSBC has offered to pay for the establishment of new croquet facilities in the north western corner of the Reserve in compensation for the loss of the existing croquet court. This work is estimated to be in the order of \$60,000 and will address the drainage problems associated with the existing croquet court and provide two full size croquet courts with appropriate separation. At present there is only one and a half greens with inadequate separation between greens." Page 28 PoM. Ballina Croquet was not compensated for agreeing to relocate nor the assistance provided for the CSBC to expand. The PoM failed to inform the 'facts' of Ballina Croquet's contribution and the realistic 'value' of replacement of croquet infrastructure displaced from 1985. The inaccuracies of reporting highlighted in the lack of pictures in the PoM reporting a vibrant croquet club with past clubhouses. The PoM reported history of Ballina Croquet was detailed by two persons of the same family who assisted the CSBC in forming a sub-club croquet in 2010 and signed the Deed of Merger in 2007.

6. Inadequate Croquet Facilities

- Since 2005 (when the PoM was adopted) the number of registered croquet players using the 2 croquet courts at Hampton Park Reserve has increased from 25 (June 2005) to 137 (January 2018). This represents an increase of approximately 550%. There has been no increase in facilities.
- The current two courts are insufficient for the current number of croquet players. The maximum number of players able to participate in games at any one time is eight per court, as per play safe recommendations
- The courts are currently used six and a half days per week between 8.30am and 5pm (later in Summer if twilight games are played), with half a day for maintenance. There is no scope for increased usage of the current croquet courts.
- There is no scope to introduce croquet to younger members of the community (e.g. through school sport) due to lack of available court space.

7. Lack of due process

Department of Primary Industries - Lands, Reserve Trust Handbook Page 48 Implementation and monitoring: "Once a plan of management has been approved and adopted by the Minister, the reserve trust must ensure (as required by the Crown Lands Act) that it is implemented. Trust boards should regularly monitor and evaluate the progress of the implementation and review the action plan, for example annually.

This may involve staff supervision to check that actions are undertaken, regular site inspections, the collection of data, and a review of the reserve trust's financial statements.

The results of this monitoring can then be measured against the intended outcomes of the plan of management, in order to assess the overall success of the implementation. If the proposals set out in the plan are not being met, the reserve trust should consider either devoting more resources to its implementation or, where this is not feasible, proposing certain amendments to the plan with the permission of the Minister'.

- Much of the adopted PoM of May 2005 has not been implemented in January 2018.
- Much of the actions in relation to the implementation of the PoM are inconsistent with the legislative document.
- Has the Trust board regularly monitored and evaluated the progress of implementation?
- Ballina Croquet has not been approached for input or access for implementation and or site inspections.
- Has the Ballina Croquet club house been inspected to ensure that it complies with current public building standards, implementation of the DA 2007? What was the result of the inspection? Who was notified of the results of the inspection? What recommendations were made following the inspection 22.1.2007? What actions were taken following the inspection? Does the lighting, toilet facilities, cleanliness, catering for special needs comply with regulations for a public building? Ballina Croquet as an independent club was informed by Council it should not ask the CSBC for anything but remedy things that are not in order. Inaccurate evacuation sign placed by Lessee in croquet clubhouse depicting only one door exit door. Ballina Croquet provides a new sign for members.
- Informs the Ballina Croquet clubhouse to be a community facility but reported "constructed as a commercial building" (Ref. DA 2007), "built as office and staff meeting room for Secretary Manager" (Ref. History Booklet 1936 -2016, Ballina Croquet, CNSW website)
- Construction as croquet courts (CNSW) reports on going failure in relation to the appropriateness (correct) —size, centre peg location, type of grass, height of cut, use of line markings and hoop positions, type of watering system recommended for such courts, shades etc.
- Using grey water recycled from the Bowling Club.

8. Site boundaries

Do the existing (fenced) Ballina Croquet site boundaries:

- comply with the NSW Land Registry Services - land value at 13 January 2018; 3587 square metres?
- provide for the maintenance work area and water tanks for the CSBC, within the croquet lease area (obstructing walkways which is a WHS issue).
- Is the proposed car park and access road encroaching on the allocated croquet lease area?
- Has the CSBC erected flood lighting, and also underground power to the neon sign on the Croquet lease area?
- Action: PoM "Removal of Unit 2 from Reserve and lease to BBRC Ltd./CSBC" 2014 BBRC Ltd. Annual Report "due a revaluation and change of use for the original croquet club site, that the rental has been reduced for 2012/13 financial year, by \$28,000. Nov. 2009—June 2012 what payment was required? Why the subsidy? Where are the public funds, \$196,000? Why was the croquet lease in 2009 provided to CSBC if \$140,000 built the Ballina Croquet clubhouse and courts \$60,000 est., a total of \$200,000 on another part of Hampton Park if the BSC was going to subsidise the CSBC's lease on the old site to approximately the same value?
- Ballina Croquet paid full croquet site lease/licence from 1937, old and new croquet lease sites 2007 to Nov.2009 including council rates on the new site.

- As the expansion of the CSBC started in 1985 were these acquisitions reported in the PoM? Who was paying for the leased area?
- August 2009, 2010 and 2017 a request to Lands and BSC was made to have PoM adhered—Lease continued in our name.
- New croquet area lease to Ballina Croquet 2007-2009 as per PoM and given to CSBC November 2009 by BSC/Reserve Trust not in line with PoM.
- Changes in the old croquet site boundaries through improvements to the Reserve by Ballina Croquet: 1936, 1965, 1985, 2001, 2004/5, 2007. No recognition of nor support funding to assist by BSC or Reserve Trust or Bowling Club. PoM is inaccurate.
- 2.3.1 There is also a croquet court adjacent to Cherry Street ...” 2.4 Social “The Reserve has significant social values through the activities of ...the Croquet Club ...”[e]xcept where social interaction is fostered by regional sporting competitions.” etc. Vision of CDB is expansion, a Regional Centre for croquet.
- 3.2 Background with the Bowling Club (CSBC), Ballina Croquet Club, Ballina Tennis Club and the general public. It is noteworthy to acknowledge that the croquet court is *relatively isolated from the balance of the Reserve by the configuration of the existing Bowling Club lease area and the location of the tennis courts* and is only able to be effectively accessed from Cherry Street. The existing croquet court suffers from poor drainage and is not able to be enlarged in its present location. On its current site croquet is not able to expand. The CSBC and Tennis Club benefit.
- 4.1 The Vision for the Reserve is: *To provide a premier venue for the playing of small area games and to maximise the synergies between the Reserve and the recreational activities of the BBRC on the adjoining land.*
- 4.2 Management Principles The following principles establish the broad direction the Reserve Trust will follow in protecting and enhancing the values of the Reserve to achieve the Vision. **1. To promote and expand the existing recreational facilities on the Reserve. See 4.5 Action Plan— Ballina Croquet actions.**
- 4.3 “*The Club should be encouraged to confine its activities and impacts wholly within its own lease area when the opportunities for long term planning of its site become available and are practical.*”

9. Ethics

Is there a conflict of interest with the CSBC holding the lease for the Croquet site?

- Should the accounting be transparent? Is it?
- Part 3: Issues 3.2 p. 27 “To facilitate the Club, ‘Bowling Club’ expansion, Council resolved to prepare a plan of management in partnership... with Ballina Croquet”. Reality informs a very unequal partnership.
- PoM fails to record historical contributions to community including the support for the expansion of the CSBC by Ballina Croquet and misinforms the public. PoM is historically inaccurate and therefore misleads the public when placed on public exhibition. Provide an accurate representation/record of the History of Croquet in Ballina since 1936 comparative to Tennis and Bowls. Ref. CNSW website, The History of Ballina Croquet 1936-2016
- Precedent for actions: Assigns the lease and relocation of croquet over the current croquet area to Ballina Croquet. Supported by, for example—“in accordance with PoM”, ‘Purpose of the Reserve’ and ‘Crown Lands Act’ p.18,19. “A further 3year lease is also being finalised with the Ballina Croquet Club in respect of the croquet court”.
- BSC Mayor reported court construction was for bowling greens, not croquet courts as per requirement of PoM.
- Ballina Croquet is entitled to receive compensation for the failure of the PoM to fulfil the actions, objectives including rights as acknowledged within the PoM. E.g. improvements made to the Reserve since 1985 by Ballina Croquet, failure to ensure lease protection of Ballina Croquet, failure to ensure continuation of play days – 7 days per week, etc. for Ballina Croquet members.
- Provision of a demountable as requested by Ballina Croquet attached to DA. BSC informs the CSBC was given the lease due to the amount of money spent on improvements to the Reserve.
- False and misleading information provided to BSC. E.g. BSC Meeting 02.11.06, DA application: 3 clubs

- had "amalgamated"—untrue, no retraction.
- BSC Meeting 25.08.09 reported Ballina Croquet autonomous, entitled to lease, the amount of money spent by the CSBC on the 'new site' was dictated by the CSBC in line with agreements in the PoM. PoM not upheld.
- Poor upkeep of croquet facilities - e.g. sun shelters need replacing as members are afraid to use them in case they collapse. CSBC offered to remove them. This is not satisfactory as then there is no sun protection. However, replacement design provided is not usable by the majority of players particularly the elderly and women.
- Are the interests of a 'business, bowls' being put before those of the croquet club and its members?

10. Current understanding related to the current croquet site and changes in Government policy

It is also important to understand the difference between informing the community about what the council is proposing and empowering the community to play an integral role in determining the goals, strategies and actions to be undertaken. The following diagram, based on the spectrum developed by the International Association for Public Participation (IAP2) (see below):

Increasing levels of public input through the Public Participation Goal is to inform, consult, involve, collaborate and empower in an ascending order.

The 'Community Strategic Plan' chapter of the Integrated Planning and Reporting Manual provides detailed information and "good practice examples of community engagement." "Councils should aim to achieve at least this level, involve community, in their new Community Strategic Planning Process but extending to collaboration is the "preferred level, with structures established for ongoing engagement".

Lands, Reserve Trust Handbook: "Chapter 25 Public Access to Government Information. All documents and records held by reserve trusts are considered to be public information and are subject to the requirements of the Government Information (Public Access) Act 2009 (GIPA Act). Reserve trusts are therefore required to provide public access to information in accordance with the requirements of the Act."

Conclusion

The CSBC has now been more than adequately compensated for the costs associated with the building of the replacement croquet club house and the development of the 2 replacement croquet courts on Hampton Park.

Ballina Croquet requests CSBC, BSC and the NSW Lands Department (Crown Land) should engage with and support Ballina Croquet to reach its' full potential as a Regional Sports Centre for croquet/Home of Ballina Croquet including establishment of a club house and 4-6 courts on a new site in Ballina in compensation for hardships suffered, as a result, of their actions and in actions.

Prepared by: Julie O'Brien, Robyn Poynting, Mary Hughes - Croquet Development Ballina Working Group (CDBWG). Discussion material used at the BSC Meeting 2nd February 2018 with Matthew Wood (Manager Strategic Planning) and Amy Cahill (Officer Community Land, Open Spaces).

29 March 2018

Submission #6

Thank you Janelle for providing Matt Wood's response to my letter of 24 March ref 21/30179.

I would appreciate if this email could be passed to Matt Wood.

I note from your response that community facilities are part of the planning for Epiq development. ("Epiq (sporting fields and a combined sports amenities and community facilities building"). I am a member of Lennox Head Lions Club where communications are between Cheyne Willebrands and the Lions Club Secretary Bill Farrow and I do not wish to wish to interrupt that communication however if there is no response to the Lions Club enquiry on available land for a shed in the next day then I wish to personally submit the following to the Plan of Management for Community Land (2021) review:

"If the Ballina Council are unable to allocate a location for Lennox head Lions Club shed (approximately 60 square metres), Please don't forget LHLC's need for a shed location when drafting the new Plan of Management".

Kind Regards

Derek Audus
204 Lavender Blvd
Ballina
ph 0418971902

