

1. Attendance and Apologies

*Members*

*Council Staff*

*Attended as an observer*

*apologies*

2. Guests

3. Declarations of Interest

4. Confirmation of Minutes

That the minutes of the previous meeting held on 16 November 2020 be accepted as a true and correct records subject to the following amendment:

To include Cathy Byrne – Ballina Coastcare as an attendee.

5. Outstanding Business - 16 November 2020

**(a) Plant Identification Training**

Cathy Byrne requested plant identification training and strategies for weed management of specific species for Coastcare members, particularly for new members. Requested Council consider assisting by enabling Council nursery staff meet with Coastcare members regularly at different sites for an hour for a sustained period of several months in 2021.

Cheyne Willebrands advised Council would be able to facilitate to assist, promote, educate and support the volunteer groups and will work with the relevant parties to arrange the training which could include Jali subject to their availability.

Claudia Caliari requested Ballina Environment Society be involved in the training also.

Staff Comment

Council's Manager Open Spaces has confirmed that training will be coordinated in 2021. Further information on training program and dates will be provided to Ballina Coastcare and Ballina Environmental Society.

**(b) Green Waste Service for Businesses in Lennox Head**

Brad Pollard raised concerns for cafe businesses in Lennox Head relating to affordability of Green Waste Services.

Staff Comment

Samala Heart, Council's Waste Education Officer has been in contact with Brad Pollard and working closely on waste reduction measures to support food businesses. A copy of the Lennox Head Public Place Bin review has been provided.

**(c) 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.

John Truman advised council staff will observe the intersection and do an internal assessment.

Staff Comment

Since the last B Ward Committee meeting the intersection has been observed on a number of occasions in both am and pm peak conditions and no significant issues were observed for traffic turning right out of Greenfield Road. At times there were delays for turning traffic waiting for safe gaps in the traffic stream on Byron Bay Road. However the delays were not considered to be unreasonable. It is understood that delays can sometimes induce frustration in drivers behaviour and they sometimes take unsafe decisions in their gap selection to conduct right turns.

The presence or otherwise of safe gaps in the Byron Bay Road traffic stream is not related to the installation of the Hutley Drive Roundabout as the traffic using the new roundabout is diverted traffic that previously used North Creek Road and there is a net zero impact on traffic numbers on Byron Bay Road from the new roundabout. There is however a net growth of traffic on Byron Bay Road due to the ongoing urban and commercial development of the Pacific Pines/Epiq urban release area and general growth in the Ballina/Lennox Head areas.

Speed Limits are not a responsibility of Councils in NSW as they are regulated by Transport for NSW. However from observation, the speed limit of 80kph on Byron Bay Road seems appropriate for an arterial town bypass road of this nature.

**(d) Road Damage – Ballina Heights Drive**

Alan Veacock commented on the large number of heavy vehicles using Ballina Heights Drive causing road damage. Alan requested Ballina Heights Drive be reconstructed and not just repatched.

John Truman advised if the damage is from construction traffic the works can be referred to the developer. The pavement needs to be completely destroyed before council will reconstruct the road.

Staff Comment

Since the last B Ward Committee meeting Council's Development Engineer has inspected the damage and determined the damage to be pavement failure and not related to development activities.

Council's Roads Assets Engineer conducted an inspection and advised Council is planning to include heavy patching works in this year's heavy patching program . This should be completed in May-June 2021.

**(e) Flathead Lane, Cumbalum**

Alan Veacock requested an update on Flathead Lane, Cumbalum.

John Truman advised a report was being prepared for the December Ordinary meeting.

Staff Comment

A report was provided to the December 2020 Council meeting. Council resolved:

1. That Council notes the contents of this report regarding the cost and feasibility of constructing Barlows Road between River Street and Tamarind Drive.
2. That Council authorises the expenditure of approximately \$12,000 on further traffic modelling and related works to assist in determining the cost / benefits of constructing Barlows Road, with this expenditure to be funded from adjustments to existing budgets, as identified by the General Manager and reported to Council in the December 2020 Quarterly Financial Review.
3. That Council gives priority to this project.

Staff will arrange the traffic modelling and report back to Council as soon as possible.

**(f) Planning for Wildlife Corridors**

Shaun Eastment sought confirmation that the Planning for Wildlife Corridors would be undertaken as part of the Biodiversity Strategy.

Cheyne Willebrands confirmed that it will be reviewed as part of the Biodiversity Strategy. An update will be provided next meeting by Strategic Services staff.

Staff Comment

Staff are in progress of consolidating information to progress the Ballina Biodiversity Strategy. This strategy will include a range of actions and it is anticipated that Wildlife Corridors will likely be an important action recommended in the Ballina Biodiversity Strategy. At this stage, a timeframe for public exhibition has not yet been determined.

6. Business with Notice

**(a) Stormwater Pond/Reserve Maintenance (Ballina Heights)**

The Cumbalum Residents Association have received numerous concerns from many residents in relation to the increase in plastic rubbish and weed growth in the storm water pond in Campbell's common. These concerns have been lodged as formal complaints to Council on numerous occasions by these residents (eg. email to Ballina Council by Hans Wohlmuth on 14 June 2020) and to our knowledge the Council has not taken any action to remedy the problem as yet. The Cumbalum Residents Association demands that Ballina Shire Council immediately attend to the regular maintenance/cleanup of the pond and develop a maintenance plan in order to keep the pond clean.

**Action:** This matter has been referred to Civil Services. An update to be provided at the meeting.

**(b) Aldi Carpark Traffic Safety**

The Cumbalum Residents Association requests an update on Council's progress in improving traffic safety at the Aldi carpark (turning right onto North Creek Road, Ballina).

**Action:** This matter has been referred to Civil Services. An update to be provided at the meeting.

**(c) Ballina Heights Shopping Centre Precinct**

The Cumbalum Residents Association feel the inclusion of a shopping precinct in the Ballina Heights Estate has been falsely advertised by developers but there has been very little progress. Cumbalum Residents Association request an update on steps Council is taking to facilitate/expedite the progress of the shopping precinct development in Cumbalum and how Council plans to hold developers accountable for amenities it has and continues to advertise in selling land that haven't been provided.

Staff Comment

Staff have been engaging with the development proponents in the Cumbalum area in relation to the provision of commercial services in the area, including a supermarket.

The owner of the existing commercial zoned land in the Ballina Heights Estate has indicated an intention to advance a development for commercial purposes on the land.

A Councillor briefing was held in February 2021 which included an overview of the developer's intended approach to the development of the site for commercial purposes. Staff are now liaising with the developer to work through the details of the approach. There are a number of steps required to progress the development of the land including the need for a development application.

**(d) Ballina Heights Graffiti**

The Cumbalum Residents Association wanted to ensure Council was aware of the large amount of graffiti on the western retaining wall at Ballina Heights and would like to know when it will be removed.

Staff Comment

This retaining wall is still under the responsibility of the developer. Council's Town Planner has contacted the developer and requested they have the Graffiti removed.

**(e) Climate Emergency Program**

The Ballina Environmental Society would like to know the progress on Climate Program and Timeline.

Staff Comment

Council are preparing a draft Climate Policy, aiming to report the draft to Council March 2021.

**(f) 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.

**Action:** An update will be provided at the meeting.

**(g) Healthy Water Ways Program**

Ballina Environmental Society request Council provide a report on the Water Clean Up Program for the Richmond River.

Staff Comment

Council is currently engaged in a number of projects focussed on the health of the waterways in Ballina Shire (part of Council's healthy waterways program). These include projects at Shaws Bay (improvements works), Lake Ainsworth (foreshore restoration), Keith Hall (floodplain drainage investigations) and Emigrant Creek (revegetation works). Council is also proceeding with the preparation of a hydrological assessment for North Creek to inform management actions.

Progress in relation to key healthy waterways programs is reported to Council on a quarterly basis through Council's Delivery Program and Operational Plan reporting.

**(h) National Light Pollution Guidelines for Wildlife**

Lennox Head Landcare were informed by Council last year that they had written to Essential Energy as a first step in pursuing this issue. Lennox Head Landcare would like an update on the response from Essential Energy.

**Action:** This matter has been referred to Civil Services. An update to be provided at the meeting.

**(i) Off-Leash Dogs in the Ballina Coastal Reserve**

Lennox Head Landcare raised the issue of dogs off-leash in the Ballina Coastal Reserve between Pat Morton Lookout and Sharpes Beach. Ballina Shire Council and Lennox Head Landcare have been working for over 20 years to revegetate this part of the Coastal Reserve and establish viable wildlife habitat and Council have designated it as a "dog on-leash" zone to compliment this. Unfortunately there is a growing culture of taking dogs off-leash. We have all experienced the enormous resources of staff time that it takes to turn this sort of culture around once it becomes embedded (consider the Flat Rock/Angels Beach experience for example). Already there are numerous stories of wildlife being harassed by off-leash dogs in this part of the Reserve including a wallaby being chased off the top of Lennox Point and another being pursued through the bush at the back of Boulders Beach.

A previous response to this issue being raised was along the lines of "our rangers will continue with current practice". This clearly isn't doing the job required and a comprehensive plan of action needs to be developed. We would like to know that Council staff have taken this issue on board and are developing such a plan with the intention of implementing it in the very near future. We envision it would require steps such as reviewing the signage location, visibility and messaging; educating both our growing population and our visitors on the benefits of compliance, monitoring infringements and penalising them.

**Action:** This matter has been referred to Environmental Health. An update to be provided at the meeting.

**(j) Biodiversity Strategy**

In December Lennox Head Landcare received the following progress update:

"Staff are in progress of consolidating information to progress the Ballina Biodiversity Strategy. This strategy will include a range of actions and it is anticipated that Wildlife Corridors will likely be an important action recommended in the Ballina Biodiversity Strategy. At this stage, a timeframe for public exhibition has not yet been determined".

Lennox Head Landcare would like to be informed of what progress has been made since December, specifically:

- what information has been / is yet to be gathered
- what further steps need to be taken before the Strategy is ready for public exhibition
- what the aspirational timeline is for this process.

**Action:** This matter has been referred to Environmental Scientist. An update to be provided at the meeting.

**(k) Beach Pathway Weeding**

Ballina Coastcare have received several complaints about weeds along the pathway from Flat Rock to Sharpes Beach. Ballina Coastcare weed as much as they can, request council be more active to enable the group to focus on planting.

**Action:** This matter has been referred to Open Spaces. An update to be provided at the meeting.

**(l) Traffic Hazard**

Cathy Byrne would like to raise the traffic hazard on the northern end crest of Pacific Terrace, East Ballina. Buses use this road and it is currently congested with parked vehicles, some related to current tradie workers but also the caravan that occasionally uses the street to park. Raz Burtonwood's old vehicle is street parked at this crest. Cathy is concerned there will be an accident. Cathy requests the crest speed limit be reduced, road widened or "no parking" signs be erected at the crest.

**Action:** This matter has been referred to Civil Services. An update to be provided at the meeting.

**(m) Public Bins – Bellevue Road, East Ballina**

Ballina Coastcare have requested Council return the public bins to Bellevue Avenue, East Ballina and the overpass to reduce the amount of dog waste bags being thrown into the bush, which Ballina Coastcare then have to remove.

**Action:** This matter has been referred to Civil Services. An update to be provided at the meeting.

7. Business without Notice

8. Council Documents on Exhibition

The following is a list of documents currently on public exhibition. The documents can be found on our website at the following link:  
<https://ballina.nsw.gov.au/documents-on-exhibition--179>

**Policies**

- Policy - Investments

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

## Planning Items

- **Draft Ballina Shire Plan of Management for Community Land 2021** – closing date 7 April 2021

Council has prepared a draft shire-wide Plan of Management for Community Land (POM) which provides the management framework for public land (Council owned land and Crown land managed by Council) classified as Community Land under the *Local Government Act 1993*.

In 2018 the *Crown Land Management Act 2016* replaced the *Crown Lands Act 1989*. The reform included the requirement for councils to have compliant plans of management in place by 30 June 2021 for dedicated or reserved Crown land (where Council is the land manager) and manage the land as if it were public land under the *Local Government Act 1993*.

The draft POM has been prepared on the basis that all Council managed community land (aside from land within the Ballina Coastal Reserve) will be managed under a single plan. The draft POM has also been prepared based on Crown lands advice regarding the categorisation of land and in accordance with the legislative requirements under the *Local Government Act 1993* and the *Crown Land Management Act 2016*.

As part of the plan review and Crown land integration process, the existing Ballina Shire POM for Community Land 2015 will be replaced by the draft POM (upon its adoption).

The draft POM will be on public exhibition between Wednesday 24 February 2021 and Wednesday 7 April 2021.

- **Draft Amendment No.14 - Chapter 7 Rural Living and Activity – Rural Function Centres** – closing 31 March 2021

The Draft Amendment introduces special development controls which address matters of site suitability and the management of events/functions in relation to function centres (including wedding venues) on land zoned RU2 Rural Landscape zone under the Ballina Local Environmental Plan 2012.

The Draft Amendment relates to the recently approved Rural Function Centres Planning Proposal, adopted by Council at the Ordinary Meeting of 25 February 2021, to amend the Ballina Local Environmental Plan 2012.

Site suitability criteria proposed in the Draft Amendment include the consideration of acoustic assessments (to be undertaken by qualified acoustic consultants), traffic impact assessments and rural land use conflict assessments.

The event management provisions include requirements and guidance with respect to the preparation of a site management plan addressing matters such as the transport of guests to and from the site, hours of operation, notification of neighbours, and other measures to mitigate environmental impacts and the potential for land use conflicts to arise.



**Items on Exhibition since November 2020 meeting and closed**

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 20/001 – Teven Road, Teven** – closing date 19 February 2021

Council has prepared a planning proposal to amend the Ballina Local Environmental Plan 2012 to facilitate a dwelling on certain land at Teven Road, Teven. The land to which this planning proposal applies involves twelve land parcels as shown outlined in red in Diagram One below. Further information regarding land parcel details, including lot and deposited plan numbers, are provided in the planning proposal.

- **Ballina Shire Development Control Plan 2012 - Draft amendment chapter 4 - Residential and Tourist Accommodation - Special area provisions - 23 Compton Drive, East Ballina** – closed 19 December 2020

The Draft Amendment introduces special controls related to the development of part of 23 Compton Drive, East Ballina for residential accommodation (dwelling house) purposes. The draft development controls relate to:

- Demolition of existing building improvements and reinstatement of the impacted Compton Drive footpath area.
- Bushfire Asset Protection Zone requirements
- Building envelope restrictions
- Ecological considerations including offset requirements
- Delineation of location and nature of s88B restrictions
- Building height requirements
- 0 metre building line provision
- Geotechnical engineering requirements
- Vegetation Management Plan requirements.

The following information regarding the draft DCP amendment can be viewed on council's website at [ballina.nsw.gov.au/Exhibition Documents](http://ballina.nsw.gov.au/Exhibition Documents)

- Draft Amendments - Ballina Shire DCP 2012
- Report to Council dated 22 October 2020
- Ballina Shire LEP 2012
- Ballina Shire LEP 1987
- Existing Ballina DCP 2012 Chapter 4 Residential and Tourist Development DCP Chapter 4.
- Ballina Shire Development Control Plan 2012 - Amendments to Chapter 4 - Residential and Tourist Accommodation Section 4.8 – 23 Compton Drive East Ballina

Council adopted amendments to the Ballina Shire Development Control Plan 2012 (the DCP) at its Ordinary meeting held on 28 January 2021. The DCP amendment will take effect from the date of publication of Ballina LEP 2012 Amendment No 49.

The DCP amendment incorporate site specific development controls relating to 23 Compton Drive East Ballina.

This advice is provided in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000.

- **New Fee - Kitchen Caddies** – closed 30 December 2020

At its meeting of 26 November 2020, Council resolved to approve the public notice of a new Domestic Waste Management Operations fee for the sale of Kitchen Caddies in accordance with Section 610F Public Notices of Fees (Local Government Act 1993) for public comment. The new fee of \$10 each (including GST) will be included in Council's Fees and Charges document for 2020/21.

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 19/002 Lennox Rise** – closed 24 December 2020

Council has prepared a planning proposal to enable increased diversity in residential lot sizes within the future Lennox Rise Residential Estate in Lennox Head. This planning proposal applies to Lot 1 DP 1070446, located at 78 Hutley Drive, Lennox Head. The land is zoned a mixture of R3 Medium Density Residential and RE1 Public Recreation zone under the terms of the Ballina Local Environmental Plan 2012 (BLEP 2012) and 7(a) Environmental Protection (Wetlands) zone and 7(l) Environmental Protection (Habitat) zone under the terms of the Ballina Local Environmental Plan 1987. The amendments to which this planning proposal relates apply only to parts of the land zoned R3 Medium Density Residential zone.

The purpose of this planning proposal is to amend the Minimum Lot Size (LSZ) map of the Ballina Local Environmental Plan 2012 to apply the 450m<sup>2</sup> minimum lot size standard to parts of subject land. The current version of the Ballina Local Environmental Plan 2012 can be accessed via the NSW Legislation website here Council has been given delegation by the Department of Planning and Environment to undertake the processes for finalisation of this planning proposal (should it proceed to completion).

- **Ballina Local Environmental Plan 2012 - Planning Proposal BSCPP 18/005 Rural Function Centres** – closed 15 January 2021

Council has prepared a planning proposal to introduce strengthened development control provisions to apply to function centres (including Wedding Venues) on land zoned RU2 Rural Landscape zone under the terms of the Ballina Local Environmental Plan 2012, to provide that such development will not adversely impact on other legitimate rural activities. The current version of the Ballina Local Environmental Plan 2012 can be accessed via the NSW Legislation website. Council has been given delegation by the Department of Planning and Environment to undertake the processes for finalisation of this planning proposal (should it proceed to completion).

9. Next Meeting

Monday 17 May 2021 - 4.30 pm

**Attachment 1**

Ballina Shire "B" Ward Committee Minutes 16 November 2020 – 4.30 pm

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**1. Attendance and Apologies**

*Members*

Cr Sharon Cadwallader (Chair)  
Cr David Wright (Mayor)

Shaun Eastment, Lennox Head Residents Association (via Zoom)  
Brad Pollard, Lennox Head Chamber of Commerce (via Zoom)  
Alan Veacock, Cumbalum Residents Association Inc. (via teleconference)  
Mike Heeson, Lennox Head Landcare (via Zoom)  
Claudia Caliarì – Ballina Environment Society (via Zoom)

*Council Staff*

Kelly Brown, Director Corporate and Community Division  
John Truman, Director Civil Services Division  
Janelle Snellgrove, Secretary

*Attended as an observer*

John Bout – Summerhill Residents Group (via Zoom)  
Lucy Vader (via Zoom)

*Apologies*

Lorraine Leuckel – Marine Rescue Ballina  
Cr Johnson  
Darel Vidler, Lennox Head Combined Services Association  
Lou Wilson, Lennox Head Alstonville Surf Life Saving Club

**2. Guests**

Cheyne Willebrands – Manager Open Spaces

**3. Declarations of Interest**

Nil.

**4. Confirmation of Minutes**

That the Minutes of the "B" Ward Committee held on 21 September 2020 be taken as read and confirmed. (Shaun Eastment / Claudia Caliarì)

Ballina Shire "B" Ward Committee Minutes 16 November 2020 – 4.30 pm

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5. **Outstanding Business - 21 September 2020**

(a) **Offleash Dogs**

Cr Cadwallader acknowledged the concerns of committee members and advised that she has requested a report on incidences from Council and that Council is trying to police and assist with the problem.

Cr Cadwallader discussed the incidents of dog attacks in our Shire and referred to a newspaper article in the Northern Star on 5 November 2020 relating to dog statistics incidences for Ballina Shire.

A copy of the newspaper article has been provided in Attachment 1.

(b) **Climate Change Emergency**

Claudia Caliarì enquired how Council are investing towards climate change.

Staff response was provided in the agenda. The information contained in the agenda was noted.

(c) **EPIQ Sporting Club Construction Status**

Darel Vidler enquired about the status for the tenders for the construction of the sporting club.

Staff feedback was provided in the Agenda. The information contained in the agenda was noted.

(d) **Lake Ainsworth Planting**

Shaun Eastment enquired about landscaping to be undertaken Lake Ainsworth. Landcare are currently propagating plants and has concerns that local plants won't be used. Shaun asked to be involved in the planting decision and discuss the matter further with Cheyne.

Staff feedback was provided in the Agenda. The information contained in the agenda was noted.

6. **Business with Notice from Members**

(a) **Vandalism at Lake Ainsworth**

Crs Wright and Cadwallader requested that vandalism at the northern end of Lake Ainsworth be discussed.

Crs Wright and Cadwallader advised that they have met with concerned community members about the vandalism at Lake Ainsworth. Cr Cadwallader advised there will be a Notice of Motion put to the November Ordinary meeting about Lake Ainsworth vandalism and commended Open Spaces for their involvement in maintaining Lake Ainsworth.

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Cheyne Willebrands explained from an operational perspective Council are aware of the vandalism issues at Lake Ainsworth. Council have been working with the crime prevention officer for new strategies.

Mike Heeson enquired what the restrictions are at Lake Ainsworth and suggested Lake Ainsworth be an alcohol free zone at night.

Cr Wright explained the difficulties with enforcing "no alcohol" zones on Council land but supported additional security when events are on. The police are aware of the vandalism at the Lake.

Shaun Eastment commented that problems at Lake Ainsworth have recently improved.

**(b) Unauthorised Camping**

Cathy Byrne raised concerns about the increase in unauthorised camping (including homeless and backpackers) between Black Head, Flat Rock, Shelly and Angels Beach and raised the following questions:

- Would Council consider revisiting a free camping site at Bicentennial Park or another site?
- What are the enforcement regimes?
- Requested additional signage in these areas.

Staff provided a response in the Agenda. The information contained in the agenda was noted.

Cathy Byrne further advised Ballina Coastcare have noticed an increase in campsites in the last few months which appear to be travelers and requested Council consider identifying alternative sites that could be available to campers.

Cr Cadwallader commented that council has considered free camping previously but local caravan parks felt it would be taking business from them.

Kelly Brown explained the protocol council staff need to follow where homeless are concerned.

**(c) Coastal Signage**

Cathy Byrne requested an update on the progress of Coastcare signage.

Staff provided a response in the Agenda. The information contained in the agenda was noted.

Cathy Byrne further added the current signage doesn't indicate "Walkers Only".

Cheyne Willebrands advised "Walkers Only" signage will be considered.

**(d) Plant Identification Training**

Cathy Byrne has requested plant identification training and strategies for weed management of specific species for Coastcare members, particularly for new members. Requested Council consider assisting by enabling Council nursery staff meet with Coastcare members regularly at different sites for an hour for a sustained period of several months in 2021.

Cheyne Willebrands advised Council would be able to facilitate to assist, promote, educate and support the volunteer groups and will work with the relevant parties to arrange the training which could include Jali subject to their availability.

Claudia Caliarì requested Ballina Environment Society be involved in the training also.

**Action:** Referred to Open Spaces to investigate training opportunities.

**(e) Green Waste Service for Businesses in Lennox Head**

Brad Pollard raised concerns as a cafe business in Lennox recently described an experience they had with regards to councils green waste service. The business arranged for two green waste bins as they wanted to divert food waste away from landfill and enjoy a reliable scheduled pickup service. At a cost of approximately \$400 per bin, this is unaffordable for most other cafes therefore food waste is being thrown into general waste and ending up in landfill. Additionally, the bins have regularly not been picked up because they were too heavy.

Brad requested clarification on whether there was anything that could be done to reduce the cost to businesses that wish to do the right thing environmentally and the reasoning behind weight restriction being applied to the service. It was noted that this was a further hurdle for businesses to make when they just want to do the right thing environmentally.

Cr Cadwaller provided the following information received from staff on this matter:

*Council's fees and charges include an annual charge of \$330 per annum for a commercial organics service. This includes a weekly collection of a 240L organics bin. The charge for the commercial organics service aims to incentivise and encourage resource recovery for relevant businesses through accessibility and cost savings (a general waste service is \$379 per annum).*

*In theory, shifting the volume of organic waste generated by a food business into an organics bin service will reduce the volume of waste in the general waste bin by a commensurate amount. As such, the cost of additional organics services should be offset by a reduction in costs associated with reduced requirement for general waste services.*

*A weight restriction on 60 kilograms is applied to all bins throughout the shire due to the engineering limit of the hydraulic lifting arm on the collection vehicle. If a bin is too heavy to be collected, the customer is notified by a sticker applied to the top of the bin advising as such.*

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*Relating to the concern raised to the committee, it is noted that the NSW EPA grant funded 'Bin Trim' program has recently commenced within the Northern Rivers region, focused on improving waste management practices within businesses (see following link for more information on the program <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/business-government-recycling/bin-trim>).*

*Whilst Council is not directly responsible for administering the program – it is being delivered by waste consultancy groups in the region who were successful in receiving grant funding for the program - Council's Resource Recovery team is offering those groups support via various channels to assist in the successful implementation of the program.*

*For example, the issue of overweight organics bins was identified early in the roll-out of the program. Businesses were provided the opportunity to remove some of the waste within the bins so they were under the weight threshold, and offered a free recollection. In addition, Council staff provided information and educational material to the consultancy groups working with the businesses to try and prevent subsequent non-collections.*

*The North East Waste regional waste group (of whom Ballina is a member Council) was one group successful in receiving funding for their program which specifically targets improving waste management in cafes, with a focus on diverting organics waste from landfill.*

*Noting that cost may be perceived by business owners as a potential barrier to trialling and implementing improved waste diversion practices, North East Waste have utilised part of their grant funding to cover Council's collection charge (\$330) for the first year of the organics service for cafes that sign up to the program.*

*Not only does this incentivise each business to sign-up to the program to improve their waste management practices, it also enables each business to conduct a cost benefit analysis over an annual period without the perceived initial cost barrier.*

*To date, 17 Ballina shire café businesses have signed up to the program with North East Waste.*

The information provided by staff was noted.

John Truman further added there was a recent contamination audit. Results indicate there is an improvement since the last audit in 2016. There will be a Councillor briefing in November to compare contamination rates.

Brad Pollard commented he would like a better understanding and requested the matter be discussed further after results have been release.

John Truman and Cr Cadwallader suggested an information session with Samala Heart, Council's Waste Education Officer.

**Action:** Referred to Civil Services to arrange education session for businesses.

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**(f) Roundabout Landscaping/Maintenance**

Brad Pollard requested Council maintain the landscaping on the roundabout on Byron Bay Road/North Creek Road as it is currently looking tired and covered with dirt. As this roundabout is one of two entrances to the village and town centre Brad has requested the roundabout is maintained on a regular basis.

Mike Heeson asked if it will be a vegetation redesign.

Cheyne Willebrands advised Council have identified the need to redesign the vegetation for this roundabout but also need to consider water flow and retention as it causes problems with the vegetation. Council are committed to addressing the matter this financial year.

**(g) Concrete Barriers and Wire Fencing – Ballina Street, Lennox Head**

Brad Pollard raised the unattractive appearance of the concrete barriers topped with wire fencing that were installed along Ballina Street, Lennox Head (between Byron Bay Road/North Creek Road roundabout and Allens Parade), possibly to retain the soil, rock and vegetation behind it. To improve the entrance to town Brad requested Council extend and continue the existing black rock wall retainer to the roundabout. This is a beautiful strip and entrance to town.

Cr Cadwallader provided the following information received from staff on this matter:

*The construction of the retaining wall and fencing was undertaken during 2016 for road and pedestrian safety reasons. The extremely steep embankment on the western side of Ballina St had failed in places and loose rocks had also fallen onto the road. Immediate safety measures were installed to respond to these local failures such as short sections of fencing and short sections of retaining wall (which protruded onto the path). A geotechnical investigation recommended a continuous retaining wall (with appropriate mass) and fencing above the retaining wall to deal with the embankment slumping and falling rocks. The total cost of the installation was approximately \$120,000. Council was also fortunate to receive TfNSW grant funding (approximately \$50,000) under a footpath/pedestrian facilities program to reinstate the original footpath width.*

*At present there is no budget allocated in the current 2020/24 Delivery Program and Operational Plan for this project. If the intention is to replace the existing installation with a 'bluestone' retaining wall (of appropriate mass) then at least a similar cost would be required plus demolition costs. Alternatively less expensive methods may want to be considered for the purposes of beautification outcomes. It is suggested the appropriate means for considering this project and seeking a budget would be for submissions to be made to Council's annual budget process which commences early next year.*

The information provided by staff was noted.



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**(h) Declaration of Climate Change Emergency / Investment Policy**

Claudia Caliarli raised further enquiries relating to climate change and Council's Investment Policy.

Kelly Brown advised that as a result of the recent interest at B Ward meetings in respect to Council's Investment Policy, Council officers have investigated further options in respect to environmentally responsible investments.

One example identified has been reported to November Council meeting being investments that are certified by the Climate Bond Initiative (CBI) as meeting the Climate Bonds Standard criteria. The CBI is "an investor-focused not-for-profit, promoting large-scale investment in low-carbon economy". More information can be found at (<https://www.climatebonds.net/region/australia>)

These 'green term deposits' mobilise capital towards assets that facilitate and support the transition to a low carbon economy – such as renewable energy projects and low carbon initiatives.

Similar products are offered by a number of banks, including fossil fuel aligned institutions, and it may be far more effective from an environmental outcome perspective to invest in green term deposits, rather than focusing the Council's Investment Policy on a more negative approach of not investing in fossil fuel aligned institutions.

Staff are actively seeking opportunities to invest in these products, subject to compliance with the Investment Policy, and will report on the level of 'green' deposits in the Investment Summary report presented to Council each month.

It was further noted that the Investment report will also be reviewed by Council in February 2021.

**7. Business without Notice**

**(a) Coastal Reserve Management Plan Update**

Shaun Eastment requested an update prior to Christmas on the anticipated process and draft timeline for the Coastal Reserve Management Plan and whether there would be community consultation.

Cheyne Willebrands advised the Coastal Reserve Management Plan must be adopted by June 2021 and confirmed that there would be public consultation.

**(b) Filming**

Shaun Eastment commented that over the last month there is an increasing frequency in filming in the area and people are becoming frustrated as the filming is interfering with lifestyle.

Cheyne Willebrands advised council is aware of higher volume of filming. Consideration is currently being given on how we can operate under the protocol and working with the film industry.

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**(c) Coastal Path Heritage Signage**

Mike Heeson advised Landcare and residents have had discussions and support heritage signage for the Coastal Path.

John Truman advised a similar process will occur as Angels Beach signage (in conjunction with Jali). Once construction works are completed then Council will have the conversations about the signage.

**(d) 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.

John Truman advised council staff will observe the intersection and do an internal assessment.

**Action:** Civil Services to complete an internal assessment and report back to next meeting.

**(e) Road Damage – Ballina Heights Drive**

Alan Veacock commented on the large number of heavy vehicles using Ballina Heights Drive causing road damage. Alan requested Ballina Heights Drive be reconstructed and not just repatched.

John Truman advised if the damage is from construction traffic the works can be referred to the developer. The pavement needs to be completely destroyed before council will reconstruct the road.

**Action:** Civil Services to review whether damage is being caused from developer activities.

**(f) Sealing of Euroka Drive, Cumbalum**

Alan Veacock advised Cumbalum Residents Association needs a timeline for sealing of Euroka Drive and when the proposed shopping centre will be constructed.

John Truman explained the difficulties in ensuring the developer completes the works.

Cr Wright advised that he has been informed that Woolworths believe it may not be viable due to surrounding shopping in the vicinity.

Alan Veacock expressed his dissatisfaction and advised he was seeking Council support in progressing the shopping centre.

Post Meeting Update

A review of Operational Plan Activity PE1.2b: Examine Planning options to expedite the delivery of commercial and retail shops in the Ballina Heights Estate has not yet progressed however is scheduled to be undertaken this current financial year. Further update to be provided at the next meeting.

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**Action:** Progress update on PE1.2b to be provided to next meeting.

**(g) Flathead Lane, Cumbalum**

Alan Veacock requested an update on Flathead Lane, Cumbalum.

John Truman advised a report was being prepared for the December Ordinary meeting.

**Action:** Update to be provided at next meeting.

**(h) Planning for Wildlife Corridors**

Shaun Eastment sought confirmation that the Planning for Wildlife Corridors would be undertaken as part of the Biodiversity Strategy.

Cheyne Willebrands confirmed that it will be reviewed as part of the Biodiversity Strategy. An update will be provided next meeting by Strategic Services staff.

**Action:** Referred to Strategic Services.

**(i) Lake Ainsworth Reserve Public Access**

On behalf of Lyn Walker, Claudia Caliarì disputed the matter was previously resolved at Council. (refer to B Ward committee minutes, 21 September 2020, item 5(g)).

John Truman referred to advice provided at previous meeting that this matter has been resolved by Council and that the matter would have to be brought back to Council if the resolution was to be changed.

**8. Council Documents on Exhibition**

The list of documents currently on public exhibition was noted.

**9. Next Meeting**

Monday 15 March 2021 – 4.30 pm

**10. Meeting closure**

5.43 pm

**Attachment 1**

## Barking mad: 76 dog attacks recorded in Ballina this year

Play Video

What do you do when a dog attacks you?



[JAVIER ENCALADA](#)

5th Nov 2020 11:00 PM

Subscriber only

A TOTAL of 76 dog attacks have been reported to Ballina Shire Council so far this year.

Councillor Sharon Cadwallader said she found out about an incident at Lake Ainsworth in late October via social media.

"Someone was bitten by a dog at Lake Ainsworth in the dog track on the way to the beach," she said.

**>>> MORE: Resident terrified after spate of violent dog attacks**

"(The bite) went through two layers of clothing and the person had to get a tetanus shot.

"They had to go to the doctor (...) they were quite alarmed when the owner and the person with the owner just laughed.

"Yes, there are serious incidents of dog bites in that area. Incidents of dog bites are definitely up."

According to council data, from January 1 to November 2 this year, 76 dog attacks have been reported in Ballina Shire, with the highest reports in Ballina (16), Alstonville (13), Lennox Head (12), Wollongbar (9), West Ballina (8) and East Ballina (3).

Last January, [the dog attack rate in Ballina was nearly four times the state average](#), according to data from the Office of Local Government.

In that period, council rangers issued 83 Penalty Infringement Notices (PINs) for issues such as residents failing to prevent dogs from escaping, dogs not under control in a public place, dogs rushing and attacks, bites, harasses or chases any animal or person, or due to unregistered dogs.

In addition to these dog incidents this calendar year, the council has also responded to 170 dog collection requests, and 210 complaints for roaming dogs, 56 for barking dogs and 12 for dog defecation.

Unattended dogs can be impounded by council rangers.

The owner of any dog may be issued with a \$330 fine for allowing their dog to be in the street and not on a leash.

Cr Cadwallader said coastal areas like Lennox Head and Ballina were becoming busier due to exponential growth and higher visitor numbers.

"The south end of Lake Ainsworth has become so popular with families, and companion animals have become more popular during the pandemic, so there are more dog owners around and a lot happened that is not reported," she said.

According to the OLG, there were 14,385 microchipped dogs in the Ballina local government area as of June 30, 2019.

Only in the April to June quarter of 2019, 19 people were attacked by dogs in Ballina Shire, with four cases deemed serious attacks.

Ballina Shire Council has a [Companion Animals Management Plan](#) available on its website.