

**1. Attendance and Apologies**

*Members*

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

Lorraine Leuckel - Marine Rescue Ballina  
Lou Wilson - Lennox Head Alstonville Surf Life Saving Club  
Brad Pollard - Lennox Head Chamber of Commerce (via Zoom)  
Alan Veacock - Cumbalum Residents Association Inc.  
Mike Heesom - Lennox Head Landcare  
Claudia Caliarì - Ballina Environment Society  
Graham Shaw – Ballina Environment Society

*Council Staff*

Kelly Brown - Director Corporate and Community Division  
Janelle Snellgrove – Secretary  
Rachael Jenner - Acting Manager Public and Environmental Health

*Apologies*

John Truman - Director Civil Services Division  
John Bout - Summerhill Residents Group (Observer)  
Cathy Byrne - Ballina Coastcare  
Shaun Eastment - Lennox Head Residents Association  
Jim Gilchrist – Preserving Lake Ainsworth Association

**2. Declarations of Interest**

Nil.

**3. Confirmation of Minutes**

That the Minutes of the “B” Ward Committee held on 16 November 2020 be taken as read and confirmed. (Lou Wilson / Claudia Caliarì)

**4. 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.

Claudia Caliarì 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.

The information contained in the agenda was noted.

**(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.

The information contained in the agenda was noted.

**(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.

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.

Mike Heesom requested that Council approach RMS regarding reduction in speed zone and that Council undertake further ongoing monitoring occurs as

there have been two minor accidents turning out of Greenfield Road into The Coast Road since the November meeting.

**Action:** Civil Services to report matter back to Traffic Committee and to implement ongoing monitoring.

**(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.

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.

The information contained in the agenda was noted.

**(e) Flathead Lane, Cumbalum**

Alan Veacock requested an update on Flathead Lane, Cumbalum.

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.

Kelly Brown advised the Traffic modelling has commenced with Council staff aiming to report on this matter to Council within the next few months.

**(f) Planning for Wildlife Corridors**

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

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.

The committee noted that Council expects to refine the draft strategy through informed consultation to begin within the year.

**5. Business with Notice from Members**

**(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.

The committee were advised that the maintenance of stormwater ponds is cyclic, and significant cleaning is required to reinstate storage and retention capacity at intervals determined by the environmental conditions, and likely to span a number of years. A review of the basin last year indicated significant cleaning is not required as yet however the rubbish removal has occurred.

With respect to weed growth around the perimeter of the ponds and along the inlet waterway a campaign was undertaken some time ago for selective treatment of weed growth. The site has been inspected and quotations are now being sourced for another round of weed maintenance.

The information provided at the meeting was noted.

**(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).

The committee were advised that the matter dealing with the entry and exit at the Aldi car park has previously been raised by B Ward members and has also been reported to the Local Traffic Committee and to Council. This reporting during 2019 noted that the upgrade of North Creek Road between Tamarind Drive and Southern Cross Drive is included in the Roads Contribution Plan.

Under this plan the upgrade is scheduled for the 2019-2028 period, and comprises a four lane upgrade with a central median. This would provide for a left-in and left-out traffic arrangement at Aldi. During the consideration of the 2019/20 Delivery Program and Operational Plan (27 June 2019 Ordinary meeting of Council) an option to provide funding for an interim/temporary central

median was presented. This meeting did not allocate funds for this interim/temporary measure, which at the time was estimated at \$50,000.

The information provided at the meeting was noted.

**(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.

The committee were advised that 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.

The information provided at the meeting was noted.

**(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.

The committee were advised that 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.

The information provided at the meeting was noted.

**(e) Climate Emergency Program**

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

The committee were advised that Council are preparing a draft Climate Policy, aiming to report the draft to Council March 2021. Kelly also provided a brief overview of procedure and actions Council has been undertaking to support our commitment to Climate Emergency Declaration.

The information provided at the meeting was noted.

**(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.

Cr Cadwallader and Cr Williams (as Council's representatives on Rous County Council) provided an overview of the key considerations with water strategy management.

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

**Action:** Council staff to contact Graham Shaw to provide further particulars on Council's water responsibilities.

**(g) Healthy Water Ways Program**

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

Rachel Jenner advised that Council is currently engaged in a number of projects focused 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.

Graham Shaw requested clarification on the progress on Richmond River water quality.

Rachael Jenner advised the Healthy Waterways strategy is draft but appears to be very close.

Cr Wright suggested this could be a 20 year program.

The information provided at the meeting was noted.

**(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.

The committee were advised that at this point, there has been no response from Essential Energy (EE) to recommend lights which meet the guidelines which we can use and they will maintain. Any change to align with new guidelines must also be assessed against the existing Australian Standards to ensure an

adequate (risk management) assessment has been included as part of the process.

Council has also been looking at lighting options for the Lennox CBD project and how new light styles/types can meet the new guidelines and provide adequate lighting that also meets the standard. The design for Lennox uses the lowest temperature light and also meets 'black sky' objectives as outlined in the guidelines. This design has been approved by Essential Energy for the Lennox CBD project.

For a broader use solution, the key issues are:

- a. There are lights which produce light at different temperatures/wavelengths and are designed to minimise the impacts on wildlife. There is not a specific suite of lights that have been endorsed by Essential Energy, so if Council uses lights that haven't been endorsed by Essential Energy, we will be responsible for the ongoing maintenance.
- b. Some of these alternative lights are unable to meet the current lighting standards and Council will need to assess if a solution can be found that is adequate.
- c. If Council uses an alternative solution, say specific light and solar powered, then this arrangement would stay as Council's asset.

The information provided at the meeting was noted. Mike Heesom further added that Sean Eastment was wanting to ensure that this is progressing.

**(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.

Rachael Jenner advised that clear, legible signs have been ordered for every coastal pathway entrance. Council will continue to educate dog owners and Rangers will police these areas. Cameras are being installed to monitor behaviours in this area.

The information provided at the meeting was noted.

**(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.

The committee were advised that the Biodiversity Strategy will identify a range of actions urgently needed to plan for and protect biodiversity. The actions and objectives are being consolidated through an extensive literature review of adopted/revised regional and local government strategies specific to biodiversity and conservation. This process aims to foster alignment with regional programs and resource sharing opportunities - key concepts of effective natural resource management.

Council envisions that prior to public exhibition, a draft will be circulated amongst a range of key stakeholders with expertise in biodiversity and conservation matters. This will include subject matter experts like Landcare Groups.

Council expects this process to refine the draft strategy through informed consultation to begin within the year.

The information provided at the meeting was noted.

**(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.

The committee were advised that Council are currently reviewing service levels for maintenance and management of vegetation along coastal pathways. Open spaces to be contacted to discuss further.

The information provided at the meeting was noted.



**(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.

The committee were advised that Council's Engineers advised Transport for NSW sets speed limits and uses a standard 50 km/h for residential areas, there are only limited circumstances where they alter this i.e. high pedestrian areas such as Ballina and Lennox CBDs. In relation to the other modifications suggested Council prioritises its road safety improvement actions based on black spot data (numbers of accidents in the last 5 years). The sites with the most recent accidents are the highest priority for implementation of road safety improvements. Pacific Terrace has no accident history recorded so is not a priority site.

Council's Rangers can investigate and take action in relation to illegal parking, if occurring.

The information provided at the meeting was noted.

**(m) Public Bins – Bellevue Avenue, 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.

The committee were advised that:

Angels Beach Overpass Bin:

The Angels Beach overpass bin were removed mid-2018, as the bin did not meet the criteria for public bin placement at that time. The bins location required it to be transferred an unsafe distance to/from the collection vehicle. The bin also reportedly captured a high incidence of illegally dumped household waste. Following a subsequent inquiry, a Public Bin Location Assessment was undertaken in Sept 2020, the outcome of this assessment was that a bin was not justified at this location due to a combination of the following reasons:

- There was no evidence of ground litter along the entire walkway from Silver Gull Drive to the beach.
- The optimum location for a bin would be at the footbridge, which exceeds the safe transfer distance to the collection point.
- Installing a bin closer to the road could result in residential dwellings being impacted by any associated issue, including odour from bin contents.
- A bin in this secluded location may attract anti-social behaviour, resulting in illegal dumping, bin fires, bin contents being thrown off the overpass etc.

The recommendation by staff is to maintain a no bin policy and look at other methods to mitigate littering.

The Coast Road Bin – Intersection with Bellevue Avenue, East Ballina:

The Coast Road Bin was historically provided at the request of a local Landcare/Dunecare Group, to assist them with the collection/disposal of weeds and to capture dog defecation, which they identified as a litter issue. The bin was removed prior to 2018, as it reportedly captured a high incidence of illegally dumped household waste and very little recreational waste. The bins location may have also been a contributing factor, as it was considered unsafe in a previous assessment.

The recommendation by staff is to undertake a 'Public Bin Location Assessment' to determine if a bin is justified.

The information provided at the meeting for Angels Beach Overpass and The Coast Road bin was noted.

**6. Business without Notice**

**(a) Coast Road Speed Limit Reduction**

Graham Shaw raised concerns about speed limit on The Coast Road, East Ballina (Angels Beach). Graham is concerned about children crossing to access the bus stop for school. Would like Council to consider the speed zone on The Coast Road be reduced from 80kms/hr to 60kms/hr.

The Mayor advised that this matter was on the last Traffic Committee agenda and was being considered by the Traffic Committee.

**(b) Lennox Head/Alstonville Surf Life Saving Club Update**

Lou Wilson reported on another successful end of surf club season. It was a great year for nippers and titles and an increase in nippers numbers.

The club is continuing to work with Council about building issues.

Lou thanked Council and the community for their support.

The Mayor, Cr Cadwallader and Cr Williams acknowledged the great work undertaken by the Club.

**(c) Climate Change**

Graham Shaw raised concerns about Council's response to the Climate Change Action Plan. Ballina Environment Society notes it has been voted that we have a climate emergency end of 2019. Graham enquired if Council subscribe to Climate Change Publications.

Kelly brown advised Council has staff who focus on this area (including monitoring professional publications or government updates) and have implemented many actions such as street lighting replacement, electric cars and solar projects. In addition, Council is currently reviewing the climate action strategy which will be reported to Council.

Council reports progress with actions quarterly to Council the delivery program actions and indicators. The reports are located on Council's website.

The Mayor acknowledged the great outcomes that Council has achieved and suggested that we could consider promoting this great work through Council's Community Connect Publication.

**Action:** Corporate and Community Division to arrange for updates on environmental / climate change action projects and actions to be included in Council's Community Connect publication.

**(d) Tamarind Drive Lighting**

Alan Veacock reported a large amount of wildlife being killed on Tamarind Drive, Ballina. Tamarind Drive has 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.

Cr Keith Williams agreed that he has also witnessed the tragic road kill on Tamarind Drive.

**Action:** Civil Services to investigate additional signage and lighting for Tamarind Drive.

**(e) Marine Tower – Drainage Risk**

Lorraine Lueckel raised concerns of a sink hole near the Marine Tower that could potentially be dangerous to the public. The concern is for children and water from the hole.

**Action:** Kelly Brown to investigate sink hole causes and risk mitigation requirements.

Post Meeting Update

Council's Coordinator Risk Management attended the Marine Tower site and identified an area filled with crusher dust. There was no immediate risk identified as the area was solid to walk on. However, further investigation is required on the causation. An investigation request has been tasked to Civil Services to further investigate the cause of the possible sink hole.

**(f) Lennox Head Events**

Brad Pollard advised Love Lennox event is unlikely to be held however they are proceeding with the Networking Event.

Brad Pollard advised the business community are concerned that Lennox Head won't be able to hold large events due to what happened with World Surf League (WSL) unless an agreed framework or guidelines are developed for future proposals. It was acknowledged that there are existing event guidelines established by Council however the tight timeframes impacted on the outcomes.

Mike Heesom thanked council for cancelling the event due to the limited time provided to the community to comment.

Cr Wright reiterated that council staff did not have a chance to assess the event proposal due to tight timeframes.

**(g) Cumbalum Interchange Update**

Cr Wright advised that he has had a meeting with Minister Toole as part of the Pearces Creek Bridge replacement funding received by Council.

Whilst onsite with the Minister, an opportunity was taken to discuss Cumbalum Interchange. Agreement was reached for the Minister to come talk to our staff in the next two weeks about the requirements for the interchange and drainage for this area.

Alan Veacock expressed his appreciation on the support provided by Council in this area.

**(h) Service NSW Vouchers**

Cr Cadwallader reminded the committee about Service NSW vouchers.

**7. Council Documents on Exhibition**

The list of documents currently on public exhibition was noted.

**8. Next Meeting**

Monday 17 May 2021 – 4.30 pm

**9. Meeting closure**

5.50 pm