

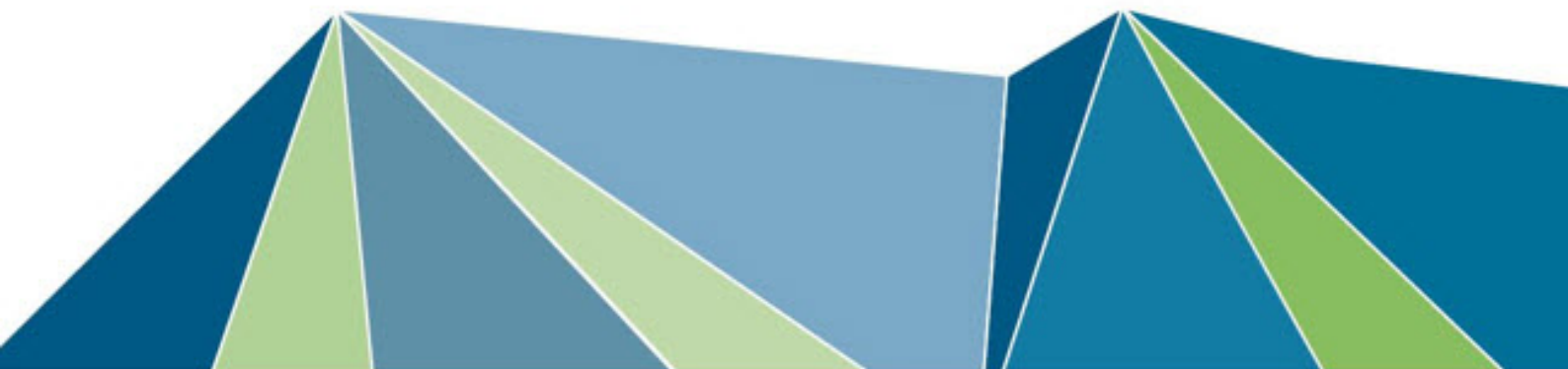
Agenda

Extraordinary Meeting **3 February 2021**

An Extraordinary Meeting of Ballina Shire Council will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **3 February 2021 commencing at 4.00pm.**

1. Acknowledgement of Country
2. Apologies
3. Declarations of Interest and Reportable Political Donations
4. Deputations
5. Reports

Paul Hickey
General Manager



Deputations to Council – Guidelines

- Deputations by members of the public may be made at Council meetings on matters included in the business paper.
- Deputations are limited to two speakers in the affirmative and two speakers in opposition.
- Requests to speak must be lodged in writing or by phone with the General Manager by noon on the day of the meeting.
- Deputations are given five minutes to address Council.
- Deputations on the same matter will be listed together with the opposition first and the speaker in affirmative second.
- Members of the public are advised that any documents tabled or given to Councillors during the meeting become Council documents and access may be given to members of the public in accordance with the requirements of the Government Information (Public Access) Act 2009.
- The use of powerpoint presentations and overhead projectors is permitted as part of the deputation, provided that the speaker has made prior arrangements with the General Manager's Office at the time of booking their deputation. The setup time for equipment is to be included in the total time of five minutes allocated for the deputation.
- To avoid conflicts of interest, real or perceived, deputations will not be accepted from:
 - Tenderers during a public tender or request for quotation
 - Persons or representatives from organisations seeking financial support from Council that involves an expression of interest
 - Consultants who are engaged by Council on the matter the subject of the deputation.

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The meeting (with the exception of the confidential session) is being livestreamed and recorded for on-demand viewing via Council's website (**ballina.nsw.gov.au/agendas-and-minutes**) and a person's image and/or voice may be broadcast.

- Attendance at the meeting is taken as consent by a person to their image and/or voice being webcast.
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent.
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings. All liability will rest with the individual who made the comments.
- This meeting must not be recorded by others without the prior written consent of the Council in accordance with Council's Code of Meeting Practice.

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1. Acknowledgement of Country
 2. Apologies
 3. Declarations of Interest & Reportable Political Donations
 4. Deputations
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1. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country.

2. Apologies

3. Declarations of Interest and Reportable Political Donations

4. Deputations

5.1 Event Proposal - World Surf League, Lennox Head

5. Planning and Environmental Health Division Reports

5.1 Event Proposal - World Surf League, Lennox Head

Section Open Spaces

Objective To provide an overview of a large surfing event proposed for Lennox Head and to determine whether Council wishes to provide in principle support for the event.

Background

On Thursday 28 January, 2021 Council representatives were asked to attend a confidential meeting with representatives from the World Surf League (WSL) and the State Government in respect to a proposal to hold a major WSL surfing event at Lennox Head.

No commitments from Council were provided at that meeting and the WSL representatives were asked to consult with the local community to determine the level of support for the event.

The proposed event is a professional championship short board surfing competition for men and women. It is proposed to run from 1 to 11 April 2021, with bumping in/out extending the event period from 25 March until 14 April 2021.

The event would be part of the 2021 WSL Championship Tour, with expected crowd attendance currently proposed for 2,000 to 3,000 spectators.

Normally, the event would bring entertainment such as beach commentary, live video, DJ Music, food vans and sponsorship activation, however a scaled down version is proposed to enable 54 of the world's top surfing athletes to compete in a controlled environment due to public health restrictions.

The proposed primary location for the event is situated within Pat Morton Lookout, utilising Lennox Point with mobile sites at Lennox Head Main Beach and Sharpes Beach.

Key Issues

- Event support and assessment process
- Community impact and community consultation

Discussion

Council events are assessed and determined in accordance with adopted policy and under delegation. Given the scale and nature of the event, in addition to community interest, the proposed event is being reported to Council in advance of a formal application.

5.1 Event Proposal - World Surf League, Lennox Head

When assessing applications Council staff consider a range of assessment criteria including, but not limited to environmental, social and economic impacts.

Council is currently not in receipt of a formal event application and have been provided with a draft event plan for consideration and to work in collaboration with Council requirements.

The information below is based on information received to date:

- Event dates 1-11 April 2021, Bump in (Pat Morton Closure) 25 March – 14 April 2021
- Event infrastructure – currently consists of broadcast truck, site shed, fencing, marquee, electrical, waste management, food vendor, cool room
- Proposed attendance – limited to 2,000 to 3,000 based on 2sqm rule (Covid) with controlled access only, security, fencing
- Community impact - restriction on public surfing during event, car park closure for extended period
- Parking / Traffic management – an approved traffic control plan is required, consideration of park / bus in spectators from other locales
- Covid-19 – Suitable plan to be provided to adhere to public health guidelines including contingency plans for potential changes
- Pedestrian management – ensure safe access throughout site
- Environmental impacts - preliminary assessments have been undertaken that identify no major obstacles. Planned use of environmental monitors, no go areas and ensuring sufficient bond. WSL to retain liability over any damage incurred.

From a planning perspective, development consent is not required for the activity or temporary structures under the terms of State Environmental Planning Policy (Exempt and Complying Development Codes 2008).

Both the primary and secondary locations are located within the Ballina Coastal Reserve and are managed in accordance with the Ballina Coastal Reserve Plan of Management. The Plan of Management specifically permits commercial activities and surfing competitions.

Relevant approvals are also required from Cape Byron Marine Park and NSW Roads and Maritime Services.

Delivery Program Strategy / Operational Plan Activity

The proposal is consistent with CSP Outcome CC2 – We feel connected to the community, which has an outcome to expand the number of Council approved events. Covid-19 has significantly decreased recent event approvals.

There are also potential economic benefits to the wider community that may arise from an event of this nature.

Community Consultation Policy

5.1 Event Proposal - World Surf League, Lennox Head

For larger events, Council ensures event organisers undertake consultation with the impacted community and identified key stakeholder groups as part of event applications.

WSL has formally advised that consultation undertaken to date has indicated support from the following local organisations:

- Lennox Head Chamber of Commerce
- Le-Ba Boardriders
- Lennox Head Surfing Reserve
- JALI Local Aboriginal Land Council

Additional consultation is understood to be ongoing with local community members, Lennox Head Residents Association and Lennox Head Combined Sports Association.

Council has also identified additional stakeholders for the organisers to consult with including but not limited to Northern Rivers Hang Gliding and Paragliding Club, Lennox Landcare, Lennox Longboarders and Headlands Bodyboarders.

This report has also been prepared to ensure an opportunity for interested community members to express views, for transparency and to seek direction from Council before proceeding with full assessment of an event application.

Council has received feedback raising concerns from members of the community regarding the potential impacts of the proposed event.

An Extraordinary meeting has been called as the State Government is expected to make an announcement in support of the event on Thursday 4 February 2021.

Typically this type of event would be subject to even more detailed consultation with the community from Council, however there has been unreasonable time limits placed on Council in respect to confirming Council support for the event.

There are objections to this proposal with an extract from the concerns being raised as follows:

Lennox Head Residents Association:

- *COVID 19 health crisis is still here. We have had no cases. We don't want any. Potential for an outbreak is high with an influx of people into this area, (hot-spots occurring regularly in Australia) despite the possible health and safety measures in place*
- *Closure of Pat Morton Lookout car park to the community*
- *Loss of parking at Pat Morton and along the coast road*
- *Use of other parking areas like Williams Reserve*
- *Closure of coastal pathways on the lower Point (north) to the community*
- *Closure of coastal pathways on the upper Point (east and south) to the community*

5.1 Event Proposal - World Surf League, Lennox Head

- *Closure of the Lennox National Surfing Reserve to surfers and other community members, as well as tourists throughout the contest period*
- *Potential for clashes both in the water and on land with contest security and locals while the contest is on*
- *The 10-11 day window for the contest occurs during the Easter holiday period when the town is already inundated with people*
- *Potential diversion of traffic up Nth Creek Road from Boulders roundabout and the roundabout at Lennox Head*
- *Fencing off recreational areas throughout the 10-11 day contest period*
- *This is our community, we represent a broad cross-section of this community and we have not been consulted by BSC. BSC needs to advise the broader community groups in Lennox Head re these types of proposals.*

Lennox National Surfing Reserve:

- *All the above points listed by the Residents Association are agreed with by the committee of the LNSRA*
- *We, as custodians of the LNSR have not been approached about the proposed contest by the WSL or BSC. We have had to contact you*
- *Community disgruntlement is already occurring in regard to this proposal. Approving this contest will divide the community even more. Does BSC really need another point of division like the Lake Ainsworth road debacle*
- *The LNSRA is also concerned that mass protest in the water while the event is on (paddle-outs to interfere with the contest) could result in injury to community members, contestants, officials, and security*
- *The Association also points out that under Federal, State and Local legislation within the Lennox National Surfing Reserve... " All current activities, access and licences which have been issued by regulatory authorities to individuals, or groups will also remain unchanged." If BSC allows a contest to occur they would be in breach of these laws as surfers would be restricted from the Reserve (the water) throughout the contest period*

Lennox Head Landcare:

- *LHLC supports all above points*
- *In addition we are concerned about general site degradation during our wet season*
- *Crowds impact on the Themeda grassland endangered ecological community (EEC) at Pat Morton in the wet season*
- *Crowd impact on the establishing rainforest community and the verges*

5.1 Event Proposal - World Surf League, Lennox Head

- *Pollution*
- *Restriction to coastal rainforest regeneration areas at the Point while the contest is on*
- *Working bee restrictions at Shorty's Stairs up to Pat Morton during the contest period*

This feedback may not represent the formal views of each of the groups mentioned, however it does help to highlight community concerns.

Financial / Risk Considerations

A formal risk management plan is required as part of the event approval. Typically, bonds are placed on large scale events to cover potential damage to environment and infrastructure.

Under Council's adopted fees and charges 2020/21 an event of this scale would be subject to a fee of up to \$5,000.

Options

This report is presented to Council to seek direction on whether Council supports the event, in principle.

The options are to support the event, in principle, or indicate Council does not support the event.

If Council supports the event in principle the organiser will be required to submit a complete event application and Council staff will assess it in accordance with existing policy.

Unless otherwise indicated by Council, staff would proceed through this process under delegated authority.

If approval is granted, the event will be subject to a number of conditions addressing key site issues such as environmental values, traffic management and pedestrian access.

Based on a very preliminary analysis it is likely that any application would have the potential to be approved, subject to agreement by the WSL on the conditions imposed by Council.

RECOMMENDATION

That Council provides in principle support to the proposed World Surf League event at Lennox Head, subject to adequate conditions being placed on the event, as determined by the General Manager, in relation to environmental values, community amenity, traffic management and pedestrian access.

Attachment(s)

Nil

