

Agenda

C Ward Committee Meeting **14 March 2024**

A C Ward Committee Meeting will be held in the Crawford House, 10 Wardell Road, Alstonville on **14 March 2024 commencing at 4:00 PM.**

1. Acknowledgment of Country
2. Attendance and Apologies (including updates/changes in membership)
3. Declarations of Interest
4. Presentations
5. Confirmation of Minutes – Thursday, 9 November 2023
6. Business Arising from Minutes - Thursday, 9 November 2023
7. Business With Notice
8. General Business
9. Business Without Notice
10. Council Documents on Exhibition
11. Next Meeting/Future Meeting Dates
12. Meeting Closure

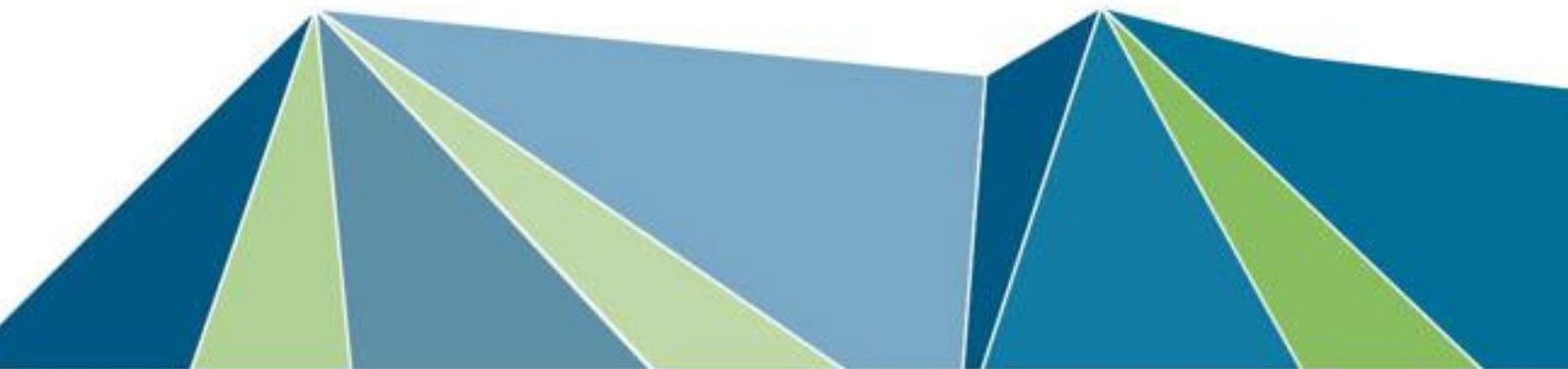


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1. Acknowledgment of Country
 2. Attendance and Apologies (including updates/changes in membership)
 3. Declarations of Interest
 4. Deputations
 5. Confirmation of Minutes
-

1. Acknowledgment of Country

In opening the meeting, the Chair will provide an Acknowledgement of Country.

We acknowledge the Nyangbul peoples of the Bundjalung nation, the traditional custodians of the land on which we meet today and pay our respects to their Elders, past and present.

2. Attendance and Apologies (including updates/changes in membership)

3. Declarations of Interest

4. Presentations

5. Confirmation of Minutes

A copy of the Minutes of the C Ward Committee Meeting held on Thursday 9 November 2023 were distributed.

RECOMMENDATION

The Minutes of the C Ward Committee Meeting held on Thursday 9 November 2023 be confirmed.

6.1 Business Arising from Minutes of 9 November 2023 - Alstonville Plateau Historical Society Inc - Planting in Daley Street, Alstonville

6. Business Arising from Minutes

6.1 Business Arising from Minutes of 9 November 2023 - Alstonville Plateau Historical Society Inc - Planting in Daley Street, Alstonville

Item 6.2 Planting in Daley Street, Alstonville

Jane reiterated the need for planting in this area.

Preferred position of the Committee is to but put low lying plants in front of the fence.

Action: Council to investigate planting in front of the fence on the roundabout in Daley Street, Alstonville.

Staff comment

Planting has now been completed at this location in Daley Street, Alstonville.

Attachment(s)

Nil

6.2 Business Arising from Minutes of 9 November 2023 - Alstonville Plateau Historical Society Inc - Progress update DA 2022/723 (Federal Hotel)

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Item 8.3 Progress update DA 2022/723 (Federal Hotel)

Jane Gardiner requested a progress update on DA 2022/723 (Federal Hotel) and enquired if Council are consulting a heritage advisor to review heritage aspects of the DA.

The information contained in the agenda was noted.

At the meeting Jane raised concerns about preserving heritage buildings.

Due to the technical aspects of this DA, it was agreed that it would be beneficial for Jane to meet with Council staff to explain the process.

Action: Janelle to arrange a meeting with Senior Planning officer and Jane to discuss how the heritage aspects of the DA are assessed.

Staff comment

Staff emailed Jane with information pertaining to the heritage assessment component of the DA on 14 November 2023.

Council's Town Planner assessing this DA provided the following update on 29 February 2024:

The applicant has provided a response to Council's Request for Information (RFI), new plans and information submitted 18 and 19 January 2024. The response has now been reviewed by the externally engaged Town Planner and Heritage consultant.

A meeting was held on 26 February between the owner, applicant and his consultant team, Council and council's external expert consultants. A number of issues were identified and discussed in relation to the proposal and its impact on the heritage listed hotel.

The applicant's team are currently considering the issues raised and could look to redesign some aspects of their proposal. It is unknown at this stage when this work may be completed, however the owner and applicant are keen for the application to progress to determination.

Attachment(s)

Nil

6.3 Business Arising from Minutes of 9 November 2023 - Tuckombil Landcare - Queries from Tuckombil Landcare

6.3 Business Arising from Minutes of 9 November 2023 - Tuckombil Landcare - Queries from Tuckombil Landcare

Item 9.1 Queries from Tuckombil Landcare

Mal Johnson tabled and discussed a number of questions relating to Tuckombil Landcare, Bulwinkle Park and C Zones.

It was agreed that the tabled questions / queries would be referred to relevant Council staff to respond.

Action: Refer to Development Services Section to respond to the question on the attachment relating to C Zoning.

Staff comment

The deferred matters program (and associated conservation zones) relates to specific areas within the shire (not all land). The program does not involve the Crown land the landcare group has been working on adjacent to Houghlahans Creek or land along the creekbank in the immediate vicinity. The deferred matters program does not involve the Environmental Protection (Urban Buffer) zone between Alstonville and Wollongbar.

Action: Refer to Open Spaces to investigate the relocation of Ken Dunstan Memorial Tibouchina Garden from below power lines site.

Staff comment

Council will continue to assist Bulwinkel Landcare with implementing actions from the Bulwinkel Master Plan, including garden and plaque relocation. Council undertook community consultation in preparing the adopted plan, with no additional consultation proposed for the implementation.

Attachment(s)

Nil

6.4 Business Arising from Minutes of 9 November 2023 - Wollongbar Progress Association - Proposed Key Worker Housing Update

6.4 Business Arising from Minutes of 9 November 2023 – Wollongbar Progress Association - Proposed Key Worker Housing Update

Item 9.3 Proposed Key Worker Housing Update

Mary Birch asked about progress with selling of Wollongbar District Urban Expansion land. Kelly Brown advised that council has recently gone through a tender process to investigate the potential for key worker housing options on a portion of this subdivision. The next step is for this matter to be reported to an upcoming Commercial Services meeting.

Action: An update to be provided at the next meeting.

Staff comment

The Medium Density Housing item was considered at the Commercial Services Committee meeting held on 14 February 2024 and was confirmed for exhibition. Below is the link to access the agenda and minutes from the Ordinary Meeting on 22 February 2024 where the Commercial Services Minutes were adopted.

[Agendas and Minutes | Ballina Shire Council \(nsw.gov.au\)](#)

Attachment(s)

Nil

7.1 Raising Items Prior to Meetings and Reporting Safety Matters

7. General Business

7.1 Raising Items Prior to Meetings and Reporting Safety Matters

When preparing meeting agendas staff invite committee members to identify items for inclusion at the upcoming meeting. Committee members are encouraged to identify any items in line with the timeline provided in the call out for agenda items. This enables Council staff to liaise with relevant Council Officers to support provision of a response at the meeting.

Committee members are encouraged to contact Council where matters relating to public safety are identified in the community rather than wait until the next Ward Committee meeting to raise these types of issues. For example, road or footpath conditions that raise safety concerns, the presence of hazards in public spaces or environmental damage should be reported to Council as soon as possible via phone or email. The emergency after hours number for Council is 02 6626 6954.

Attachment(s)

Nil

7.2 Public Interest Disclosures Act

7.2 Public Interest Disclosures Act

The [Public Interest Disclosure \(PID\) Act 2022](#) came into effect in NSW from 1 October 2023.

The definition of public officials has been extended in the new Act, and is defined in full in [Section 14](#).

Specific to members of the C Ward Committee, is section 14(1)(b) *‘a person who has the functions of a public official or who acts in a public official capacity and whose conduct or activities can be investigated by an integrity agency under another Act or law to investigate.’*

The NSW Ombudsman guidance for this definition provides examples for this clause as being *‘local government councillors, local government staff, and members of boards or committees.’*

It is a requirement under the new Act for all council officials, councillors and contractors engaged, to be provided with training about the PID Act. This report and discussion, the video [‘The fundamentals of the new PID Act’](#) and information sheets produced by the NSW Ombudsman, serve to provide that training.

The PID Act 2022 seeks to promote a strong ‘speak up’ culture in NSW that encourages public officials to report wrongdoing.

An integral part of that ‘speak up’ culture is having in place a framework that facilitates public interest reporting of wrongdoing by:

- protecting those who speak up from detriment
- taking active steps to maintain the confidentiality of reports
- imposing duties on agencies who receive reports of wrongdoing to take appropriate action to investigate or otherwise deal with them.

In September 2023 Council adopted the Public Interest Disclosure Policy, refer to Attachment 1. The policy documents Council’s commitment to building a speak up culture and provides information to all public officials of Ballina Shire Council about:

- ways you can make a voluntary PID to Ballina Shire Council
- the contact details for the nominated Disclosure Officers of Ballina Shire Council
- the responsibilities of people who hold particular roles under the PID Act and who are employees of Ballina Shire Council
- what information you will receive once you have made a voluntary PID
- the protections available to people who make a report of serious wrongdoing under the PID Act and what we will do to protect you
- our procedures for dealing with disclosures
- our procedures for managing the risk of detrimental action and reporting detrimental action
- our record-keeping and reporting requirements

7.2 Public Interest Disclosures Act

- how Ballina Shire Council will ensure it complies with the PID Act our policy.

Council's Disclosure Coordinators are the Director Corporate and Community and the Coordinator Information Management. A full listing of all Council's disclosures officers are listed in Appendix A of the PID policy.

Attachment(s)

1. Public Interest Disclosures Policy [⇒](#)
2. Overview of the PID Act [⇒](#)
3. What is serious wrongdoing? [⇒](#)
4. Protections under the PID Act [⇒](#)

7.3 Ward Committees - Meeting Dates - September 2024 Election

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Council's three Ward Committees meet bi-monthly, on odd numbered months, i.e., March, May, July, September and November.

The dates for the three Ward Committee meetings in September are:

A Ward – Tuesday 10 September
B Ward – Monday 16 September
C Ward – Thursday 12 September

The Local Government Election is scheduled for Saturday 14 September 2024.

The NSW Electoral Commission has advised that the close of receipt of completed postal votes is 13 days after election day.

This means that postal votes can be received by the Commission up until 6 pm on Friday 27 September.

The Commission has advised that final counts and distributions of preferences will commence on Monday 30 September with the election results in each area progressively announced from Monday 30 September to Wednesday 2 October 2024.

The A Ward and C Ward Committees are due to meet the week before the Election, when pre-polling is taking place, with B Ward scheduled to meet the week following the Election.

With the Councillor representatives on the C Ward Committee likely to be actively involved in pre-polling (if running again), direction is needed from the Ward Committee as to how they would like to see the September 2024 meeting managed.

Options are:

1. Continue with the meeting on the scheduled date with the understanding that Councillor representatives may or may not be in attendance.
2. Not hold a September 2024 meeting
3. Hold the September meeting at an earlier date. Recommend two weeks earlier to avoid pre-polling (i.e., Thursday 29 August 2024).

The Ward Committee's preference is now sought.

Attachment(s)

Nil

8.1 Business With Notice - Bulwinkel Landcare - Bulwinkel Landcare Projects Update

8. Business With Notice

8.1 Business With Notice - Bulwinkel Landcare - Bulwinkel Landcare Projects Update

Mal Johnson will provide an update to the committee on Bulwinkel Landcare current projects.

Mal has requested information from Council on their current projects.

- a) Bulwinkel Landcare will pay for new Tibouchina varieties to move Memorial Garden to another site:
 - Will Council provide plan from a Landscape Garden Designer?
 - Will Council relocate Memorial Plaque Rock to new site?
 - Will Council provide a letter box drop to residents of Main Street and Lismore Road to explain removal and mulching of tibouchinas to avoid possible public reaction?
- b) Bulwinkel Landcare will pay for Alstonville High students to construct three substantial Park Benches for placement in Bulwinkel Park:
 - Will Council provide the concrete plinths for the three benches?
 - Are there any conditions on design of benches for the Bulwinkel Heritage Park?
- c) Bulwinkel Landcare is willing to contribute to repairs to the edge of the weir to halt erosion and dangerous potholing:
 - Will Council develop a plan to repair the weir edge?

Staff Comment

Council will continue to assist Bulwinkel Landcare with implementing actions from the Bulwinkel Master Plan, including garden and plaque relocation. Council undertook community consultation in preparing the adopted plan, with no additional consultation proposed for the implementation. Council's preference is to install seating in accordance with the adopted plan.

Council has planned erosion control works to stabilise banks adjacent to the weir, these works are currently scheduled for winter.

Attachment(s)

Nil

8.2 Business With Notice - Tuckombil Landcare - Update on Cancelled Joint Project - Maguires Creek Riparian Project at Teven

8.2 Business With Notice - Tuckombil Landcare - Update on Cancelled Joint Project - Maguires Creek Riparian Project at Teven

Mal Johnson will provide an update on the joint project at Maguires Creek Riparian (Teven). This is a \$150,000 project. The landowners are no longer participating in the project therefore Land Services are also not participating. Tuckombil Landcare will discuss further with landowners.

Attachment(s)

Nil

8.3 Business With Notice - WardellCORE - Proposed Pressure Sewer Upgrade East Wardell

8.3 Business With Notice - WardellCORE - Proposed Pressure Sewer Upgrade East Wardell

WardellCORE on behalf of Wardell residents raised concerns about the proposed sewer upgrade at East Wardell. The concerns the residents have raised are:

- it will take up space on small residential blocks
- ongoing power costs / exacerbated by financial hardship experienced by flooded residents
- ongoing maintenance costs and concerns
- impinge vehicle access on properties
- impact from future flooding on this infrastructure.

Staff Comment

Project Background

Following the February 2022 floods, the NSW Government committed to spend \$145 million to address the impact of flooding on critical water and wastewater systems in the NSW North Coast area.

One of the projects that forms part of this program is the upgrade of Wardell's wastewater network.

Council's water and wastewater staff have been working with NSW Public Works to design and construct a new pressure sewer system to replace the existing gravity sewer system that currently services the properties in River Street, East Wardell.

Replacing River Street's gravity sewer system to a pressure sewer system would eliminate the need to upgrade the existing River Street pump station, which was inundated and significantly damaged during the 2022 flood events.

Pressure sewer pipes are relatively small compared to a gravity wastewater system and, unlike gravity systems, are generally laid at a shallower depth. This reduces infiltration to the wastewater network improving its capacity, along with providing associated financial and energy benefits.

Installing a new pressure sewer system along River Street will also better meet the needs of customers and prevent future flood and wet weather impacts on the sewer system.

The below concerns and feedback have been received from Wardell Core. Responses are provided below.

1. It will take up space on small residential blocks

The on-property system includes a control/alarm panel, collection tank containing a small grinder pump, a property discharge line and property boundary assembly. The small grinder pumps located on each property macerates the sewage into a fine slurry and pump it through a pressure sewer system network.

8.3 Business With Notice - WardellCORE - Proposed Pressure Sewer Upgrade East Wardell

The collection chamber lid is 600mm in diameter. Ideally, the collection chamber will be located at the rear of the property close to the properties existing gully trap, however there is provision to move the collection chamber based on site requirements.

At this stage in the project, no assessment or audit has been undertaken to determine the location of the collection chamber.

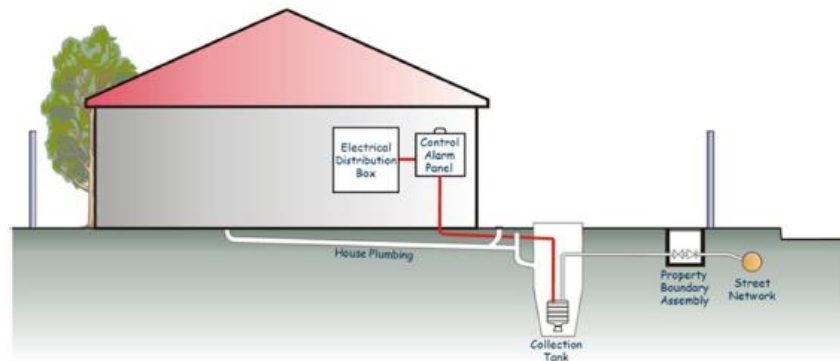


Figure 2 On Property PSS Infrastructure

2. Ongoing power costs / exacerbated by financial hardship experienced by flooded residents

The cost to power the pressure sewer system will be an increase of approximately \$4 to the quarterly electricity bill. This assumes the 0.75kW pump runs 6 minutes per day, which is typical for a standard household. An electricity price of \$0.40/kWh has been assumed.

3. Ongoing maintenance costs and concerns

Council shall own, and be responsible for, the operation and maintenance of the pressure sewer system. This includes the replacement of on property infrastructure. There is no maintenance cost to the resident.

Council provides the same level of service as provided in gravity sewerage systems, particularly during business hours. For after-hours service, Council makes the following additional provisions;

- Next day repairs or replacement of the pumps for after-hours responses to high level alarms. This is to minimise inconvenience to the resident by utilising the emergency storage in the pumping unit.
- Immediate response to any emergency with the potential for an overflow.

The pressure sewer system operates automatically and does not require any specific input from the resident. The collection tank is sufficiently sized to cater for power outages that might be experienced as part of normal operation.

A Pressure Sewer Manual has been provided to the residents of River Street which outlines all operation and maintenance requirements of the pump station for Council and the property owner/ resident. The Manual includes:

- Emergency contact numbers What to do if the alarm sounds.
- What to do in the case of a power failure
- Ensuring access to the unit for operation
- What can be safely discharged into the sewerage system.

Council requires the property owner/ resident be responsible for the following:

- Maintaining an electrical connection to the electrical control cabinet located on the property, provision of power including payment of associated power costs.
- Maintaining the gravity plumbing on the property, up to the inlet of the pumping unit
- Entering into a maintenance agreement with Council to provide Council with access to their property for the purpose of maintenance or replacement of pressure sewer infrastructure located on their property.
- Informing real estate agents, or prospective purchasers, of the nature of the pressure sewer system located on their property and the need to enter into an agreement with Council for the continued maintenance and operation of this infrastructure.
- Where the property owner does not reside on the property, communicating the Resident's Responsibilities to the tenant and ensuring a copy of the pressure sewer manual is available to the tenant at the time of occupancy.
- Notifying Council immediately if any alarms are generated within the electrical control cabinet of the pump station, or of any other problems with the performance of the pressure sewer system.
- Ensuring no deleterious material is discharged to the sewer.

4. Impinge vehicle access on properties

The pressure sewer system would most likely be installed at the rear of the property. The project has not yet undertaken an assessment to determine the exact location of the collection chamber, however this would occur in consultation with property owners to understand site constraints.

The collection tank lid is 600mm in diameter and is manufactured from high grade virgin polyethylene. The lids are low profile and designed to blend in with the environment. Lids are capable of withstanding a wheel loading of 510kg however would not be located in an area where they are at risk of being driven on.

5. Impact from future flooding on this infrastructure

As Council is responsible for the maintenance of the pressure sewer system, any future impact of flooding on this infrastructure and its replacement is the responsibility of Council.

Pressure Sewer Systems are preferred over conventional gravity sewer systems in areas considered to present a high risk of infiltration. As the system is pressurised, the system is less likely to be inundated with inflow and infiltration that cause overflows in gravity systems. Reducing inflow and infiltration significantly reduces operational, maintenance and treatment costs.

Attachment(s)

Nil

8.4 Business With Notice - WardellCORE - Walshs Park Replacement Signage and Walshs Park Upgrades / Embellishments

8.4 Business With Notice - WardellCORE - Walshs Park Replacement Signage and Walshs Park Upgrades / Embellishments

WardellCORE requested an update on the replacement of Walshs Park sign and if there is any consideration around community engagement process for Walshs Park upgrades / embellishments.

Staff Comment

Confirmation that Walshs Park signage has been upgraded and replaced. Initial assessment on embellishment of Walsh Park considered, with further consideration given as part of Delivery Program and Operational Plan preparation and exhibition.

Attachment(s)

Nil

8.5 Business With Notice - C Ward Update

8.5 Business With Notice - C Ward Update

Information provided to the committee each meeting specifically on what is happening in the C Ward.

Staff Comment

The items below have been identified as items of interest to the C Ward committee and will be discussed at the meeting:

Ballina Shire Housing Strategy

Currently on exhibition, submissions close Friday, 15 March 2024.

Road Projects

Current Projects:

- River Drive, Empire Vale.

Future Projects:

- Houghlahans Creek Road, Pearces Creek Road.

Footpath Projects

Completed Projects:

- Pearces Creek Road, Alstonville.

Current Projects:

- Cawley Close, Alstonville (Stage 1).

Wardell Wharf Repairs

Repairs to the Wardell Wharf are now underway and are expected to be completed by April 2024.

Critical Response Kits

Ballina Shire Council have installed new beach rescue equipment at 10 locations along our coastline. The kits include:

- Defibrillator
- Bleed kit
- CAT tourniquet
- CPR mask
- First Aid instructions.

Attachment(s)

Nil

9. Business Without Notice

9. Business Without Notice

Nil Items

10.1 Council Documents on Exhibition

10. Council Documents on Exhibition

10.1 Council Documents on Exhibition

The following is a list of documents currently on public exhibition.

Documents on Exhibition and Community Consultation

- Ballina Shire Housing Strategy – closing date 15 March 2024

Policies

- Property Investment and Development Policy – closing date 27 March 2024
- Markets on Public Land Policy – closing date 27 March 2024
- Commercial Use of Footpaths Policy – 27 March 2024
- Fire Asset Protection Zones – Private use of Public Land Policy – closing date 27 March 2024
- Road Closing Applications for Public Roads Policy – closing date 27 March 2024
- Fraud and Corruption Control Policy – closing date 27 March 2024
- Risk Management Policy – closing date 27 March 2024

Council Notices

The Council Notices can be found on our website at the following link:

[Link to Council's Notices](#)

Attachment(s)

Nil

- 11 Next Meeting / Future Meeting Dates
 - 12 Meeting Closure
-

11. Next Meeting / Future Meeting Dates

Next meeting is scheduled for Thursday, 9 May 2024 at 4:00 PM.

12. Meeting Closure