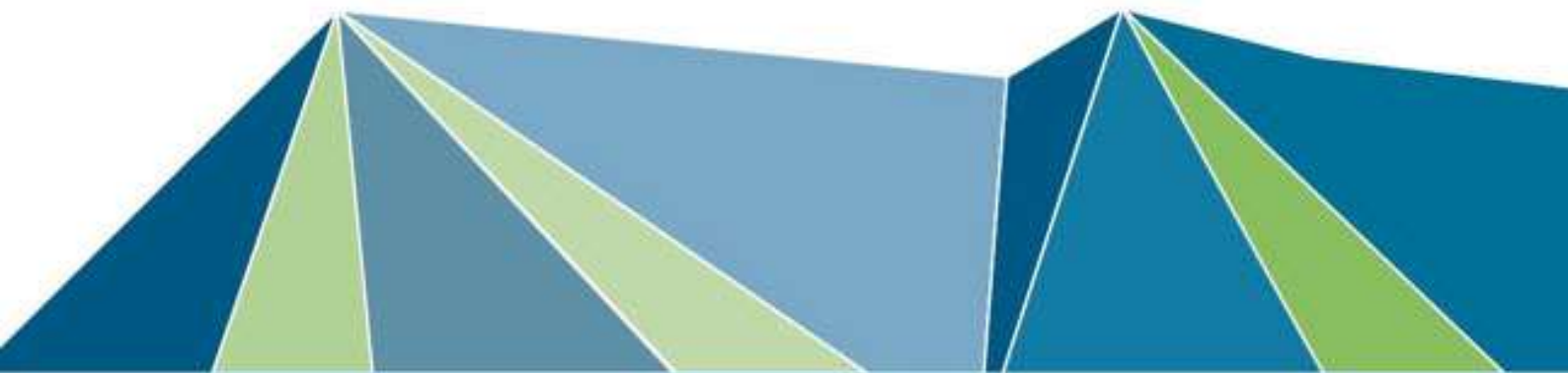


# ATTACHMENTS TO

## *Ordinary Meeting Business Paper*

27 June 2024



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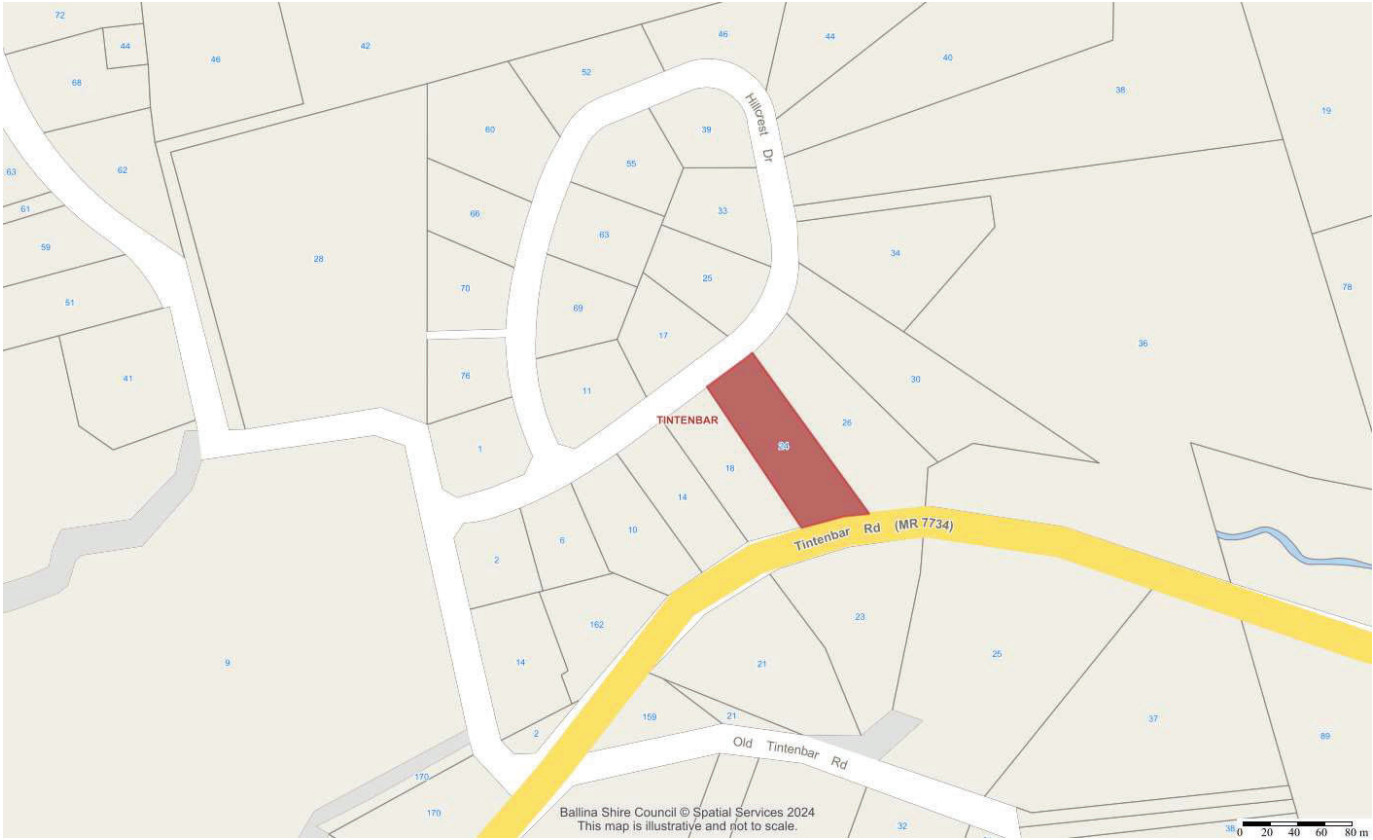
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**CLIENT DETAILS:**

GLENN COLEMAN

**PROJECT DETAILS:**  
 PROPOSED EXTENSION & RENOVATION  
 + NEW SWIMMING POOL

**ADDRESS:**  
 24 HILLCREST DRIVE  
 TINTENBAR, NSW, 2477

LOT 15 DP:749332

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**NOTES**

All works to comply with the National Construction Code (NCC) /Building Code of Australia (BCA), and be in accordance to relevant Australian Standards and local council regulation/approvals.

Including but not limited to:

- AS 2601 The Demolition of Structures
- AS1 684 Timber Framing Code
- AS 3700 Masonry in Buildings
- AS 2870 Resid. Slabs and footings
- AS 3660 Termite protection
- AS 3500 Stormwater Discharge
- AS 3740 Waterproofing of Wet Areas
- AS 2407 Windows in Building
- AS 1657 Stairways
- AS 1926.1 Swimming Pool Safety & Swimming Pools Act 1992
- Photoelectric smoke detectors in accordance with BCA
- All verandahs at levels greater than 1000mm to have handrail assemblies in accordance with BCA 3.9 and 3.9.2.

All dimensions to be verified by Builder/Client prior to setout, ordering or fabrication of new materials.

Check for underground obstacles prior to construction.

Footings and Tie Downs to Engineer's specifications  
 Do not scale from drawings.

Ensure all new construction within building envelope.

**STANDARD NOTES**

All building works to be carried out in accordance with the Building Code of Australia (BCA), Australian Standards and to the satisfaction of the principle certifying authority.

Builders/Contractors are to verify all dimensions and relevant information on site before commencing work.

Ensure all building construction within building envelope.

Figured dimensions take precedence, do not scale.

Drawings to be read in conjunction with, but not limited to:

- Byron Shire Council DA Approval and conditions
- SEE (Statement of Environmental Effects)
- BASIX Certificate
- Engineering Drawings & Report
- Land Surveyors Drawings
- Section 68 Approval
- Stormwater Drawings & Report
- Truewater Australia Report & "Wastewater System Site plan" (Design ID: BSC14022)

**24 HILLCREST DRIVE  
 TINTENBAR, NSW, 2477**



AREAS TABLE	
LOCATION	AREA
Existing Deck	58,3 m <sup>2</sup>
Existing Garage	31,96 m <sup>2</sup>
Existing Ground Floor Internal	184,82 m <sup>2</sup>
Existing First Floor Internal	43,27 m <sup>2</sup>
Total Existing	292,35 m <sup>2</sup>
Proposed Deck - Ground Floor	105,03 m <sup>2</sup>
Proposed Garage	71,74 m <sup>2</sup>
Proposed Lower Ground Floor Internal	64,96 m <sup>2</sup>
Proposed Ground Floor Internal	72,12 m <sup>2</sup>
Proposed Deck - First Floor	17,08 m <sup>2</sup>
Proposed First Floor Internal	65,62 m <sup>2</sup>
Total Proposed	396,55 m <sup>2</sup>
Total Internal (Existing + Proposed)	404,79 m <sup>2</sup>
Total (Title) Site Area	5795,96 m <sup>2</sup>
FSR	0,069 : 1
Soft Landscaping & Deep Soil Planting	5329,95 m <sup>2</sup>

**LOCALITY PLAN**  
 NOT TO SCALE

**BASIX REQUIREMENTS**

As per certificate n°: A506161

**CONSTRUCTION**  
 (See Insulation Requirements section within BASIX certificate)

**ARTIFICIAL LIGHTING**  
 Minimum 40% of new or altered light fixtures are fitted to be fluorescent, compact fluorescent or LED lighting lamps.

**GLAZING REQUIREMENTS**  
 (See Glazing Requirements section within BASIX certificate)

**POOL**  
 MAX Size: 27 KL  
 Heating: No  
 Pool pump: On timer

**FIXTURES**  
 Minimum 3 star rating for all new or altered showerheads, toilets, and taps.

**RAINWATER TANKS**  
 Minimum 978 litre water tank to be installed on site  
 Rainwater collection from minimum 100sqm of roof  
 Rainwater tank tap located within 10m of pool

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CLIENT	Glenn Coleman
JOB NAME	TINTENBAR HOUSE
DRAWING	Cover Sheet, BASIX & Notes

ADDRESS	24 Hillcrest Drive Tintenbar NSW 2477 Australia
LOT & DP	Lot 15, DP 749332

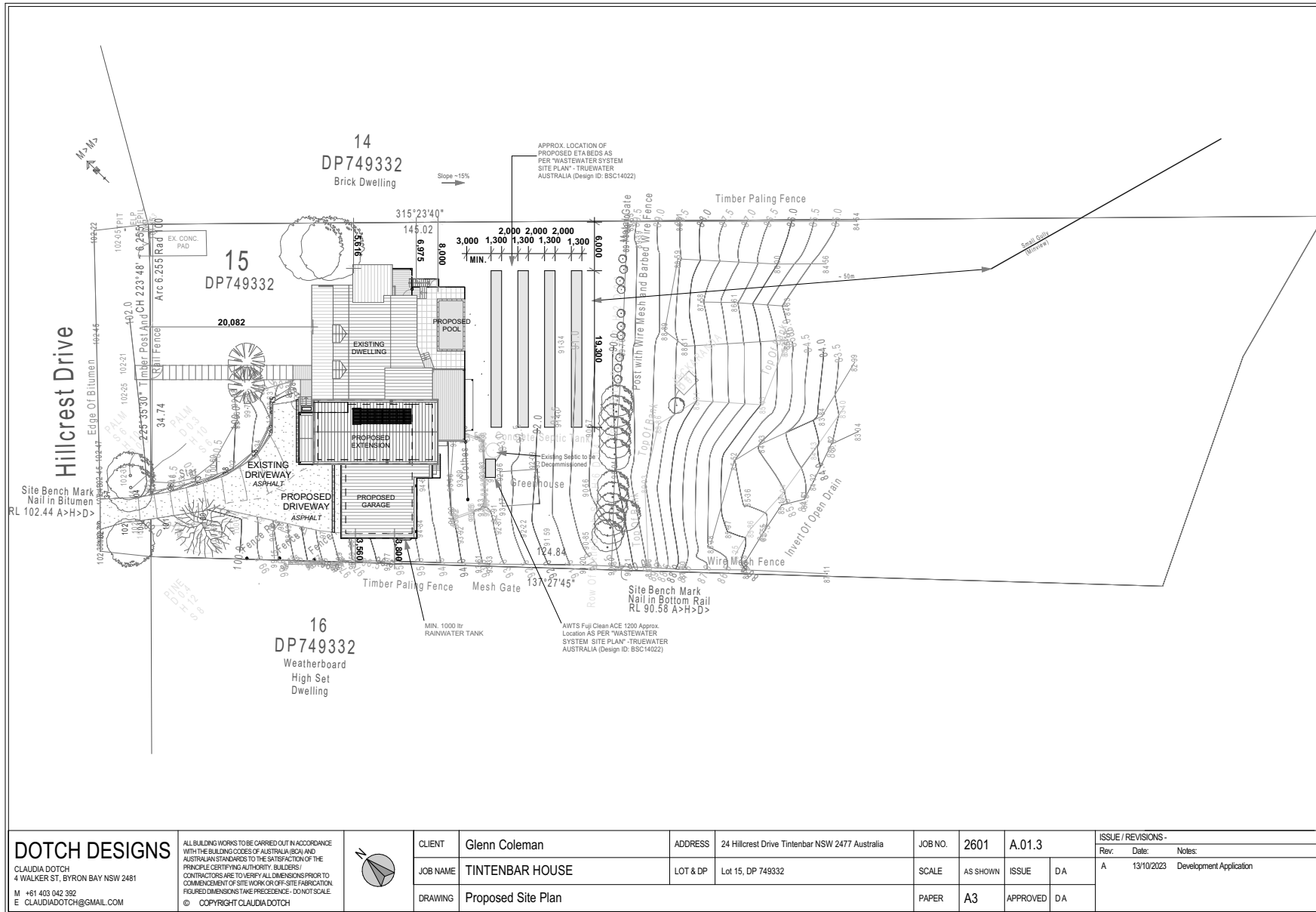
JOB NO.	2601	A.01.1
SCALE	AS SHOWN	ISSUE DA
PAPER	A3	APPROVED DA

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**PROPOSED FRONT 3D**  
NOT TO SCALE

**PORPOSED REAR 3D**  
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		JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA	Rev: Date: Notes: A 13/10/2023 Development Application
		DRAWING	Proposed 3D Perspectives	PAPER	A3	APPROVED	DA			



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DRAWING	Proposed Site Plan

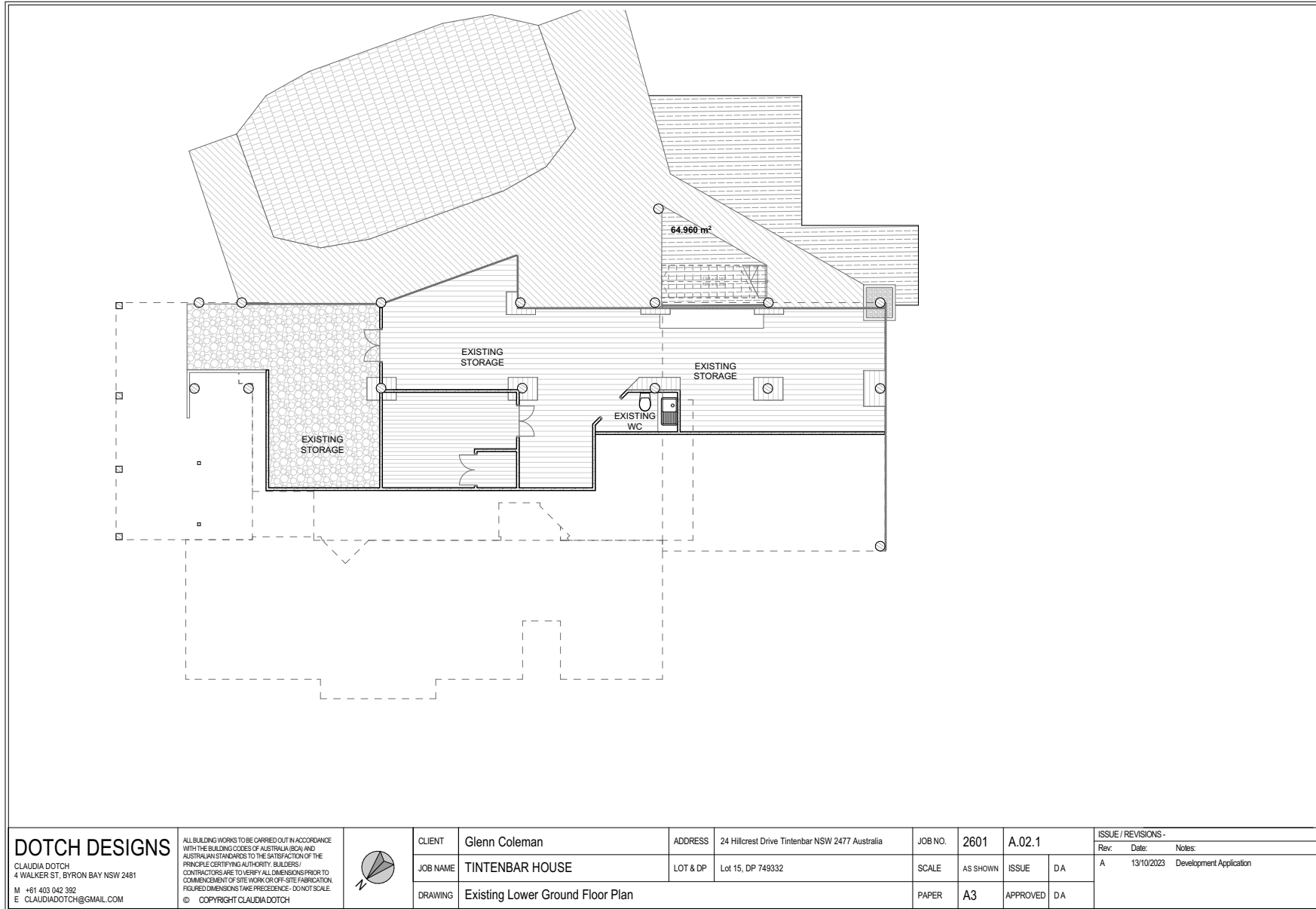
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LOT & DP	Lot 15, DP 749332

JOB NO.	2601	A.01.3
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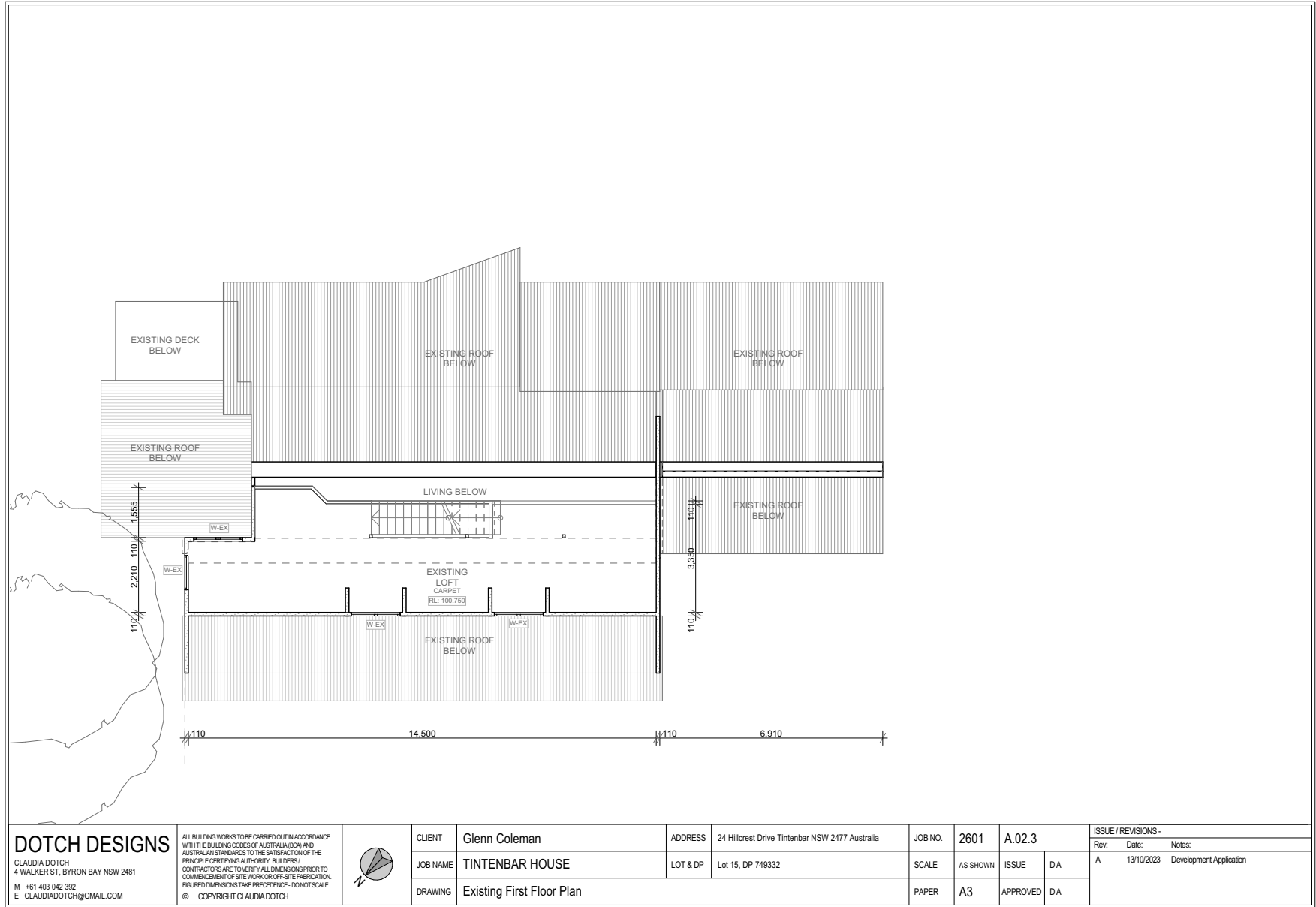


CLIENT	Glenn Coleman	ADDRESS	24 Hillcrest Drive Tintenbar NSW 2477 Australia	JOB NO.	2601	A.02.1	
JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA
DRAWING	Existing Lower Ground Floor Plan			PAPER	A3	APPROVED	DA

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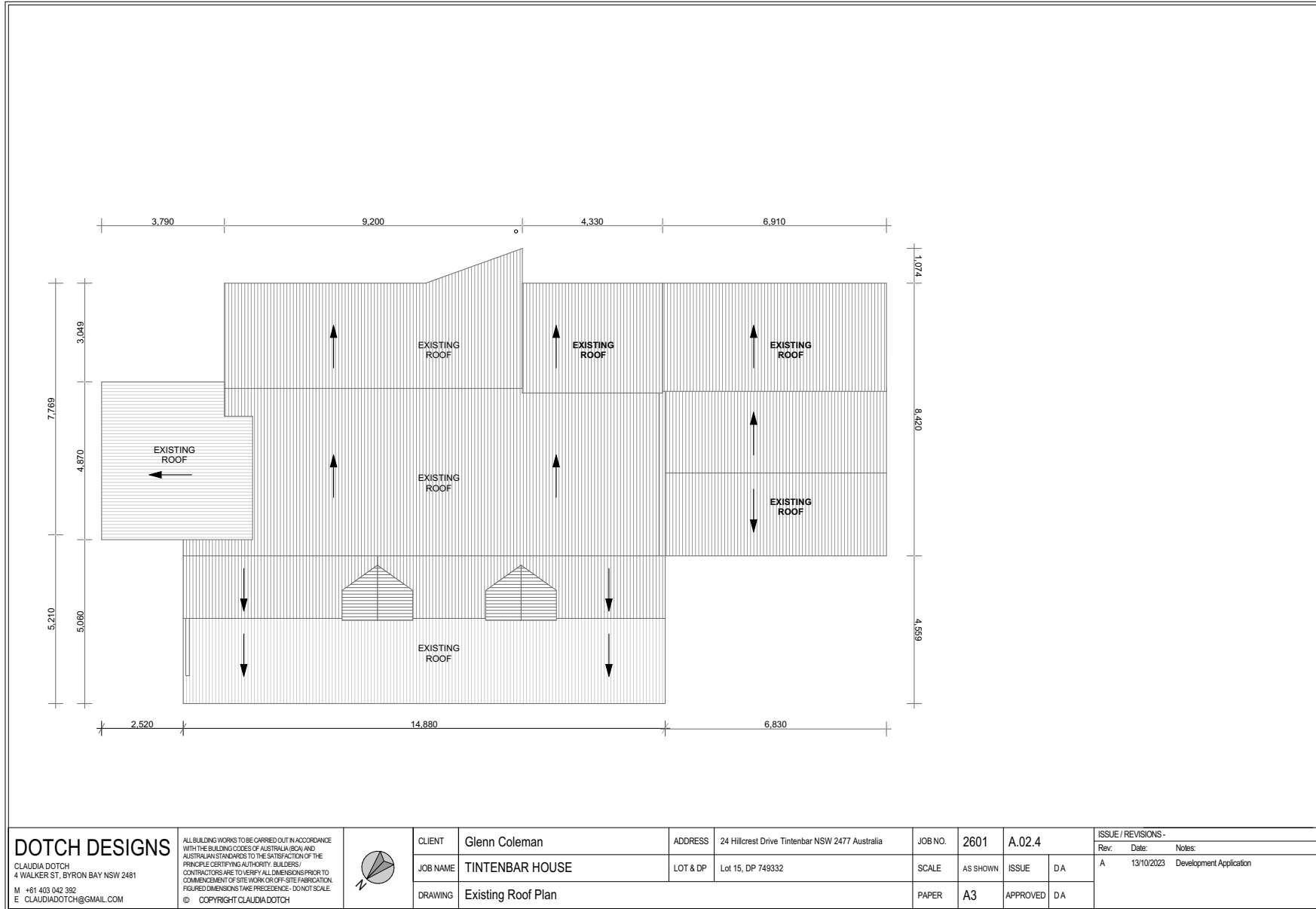
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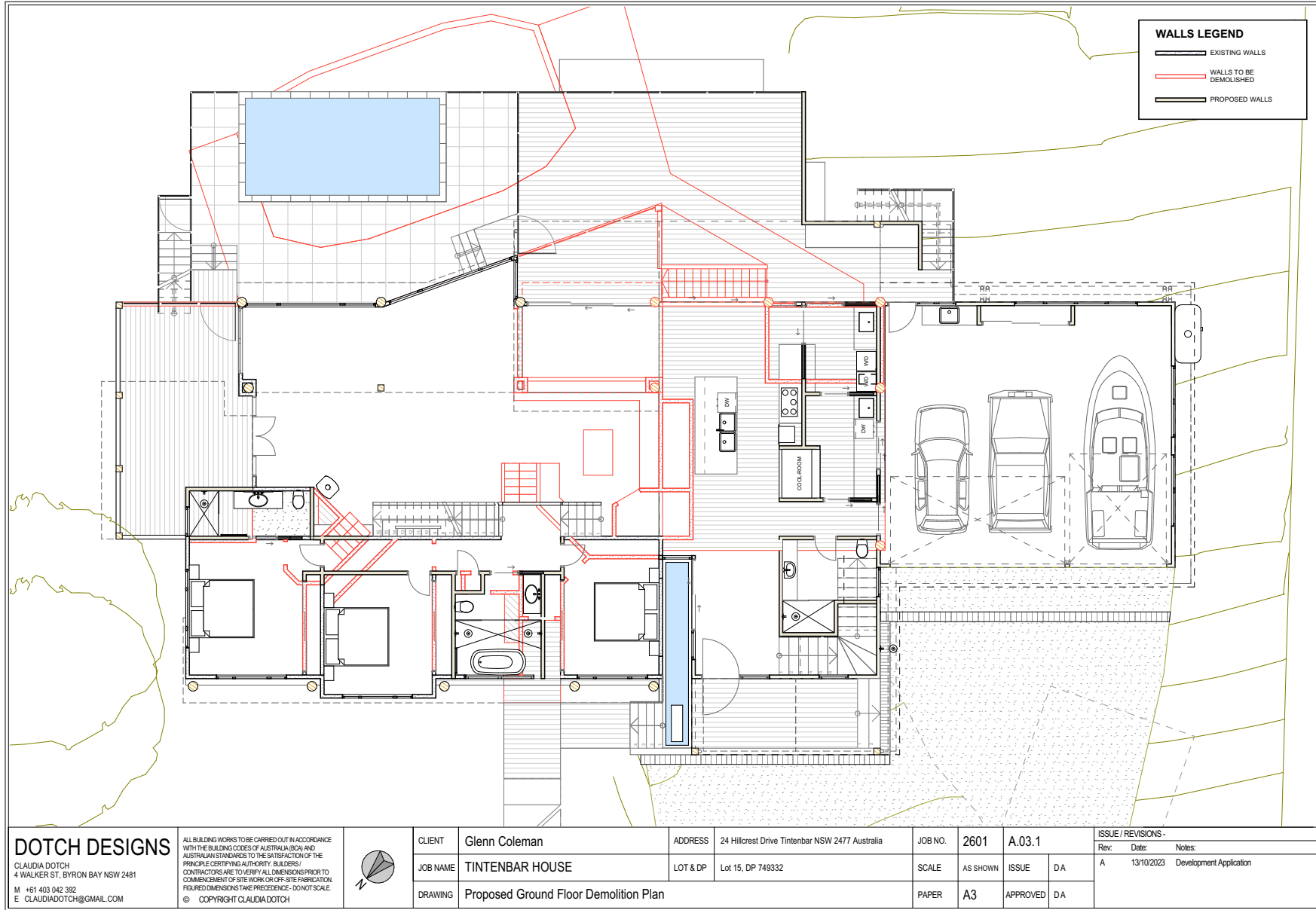


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JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA
DRAWING	Existing First Floor Plan			PAPER	A3	APPROVED	DA

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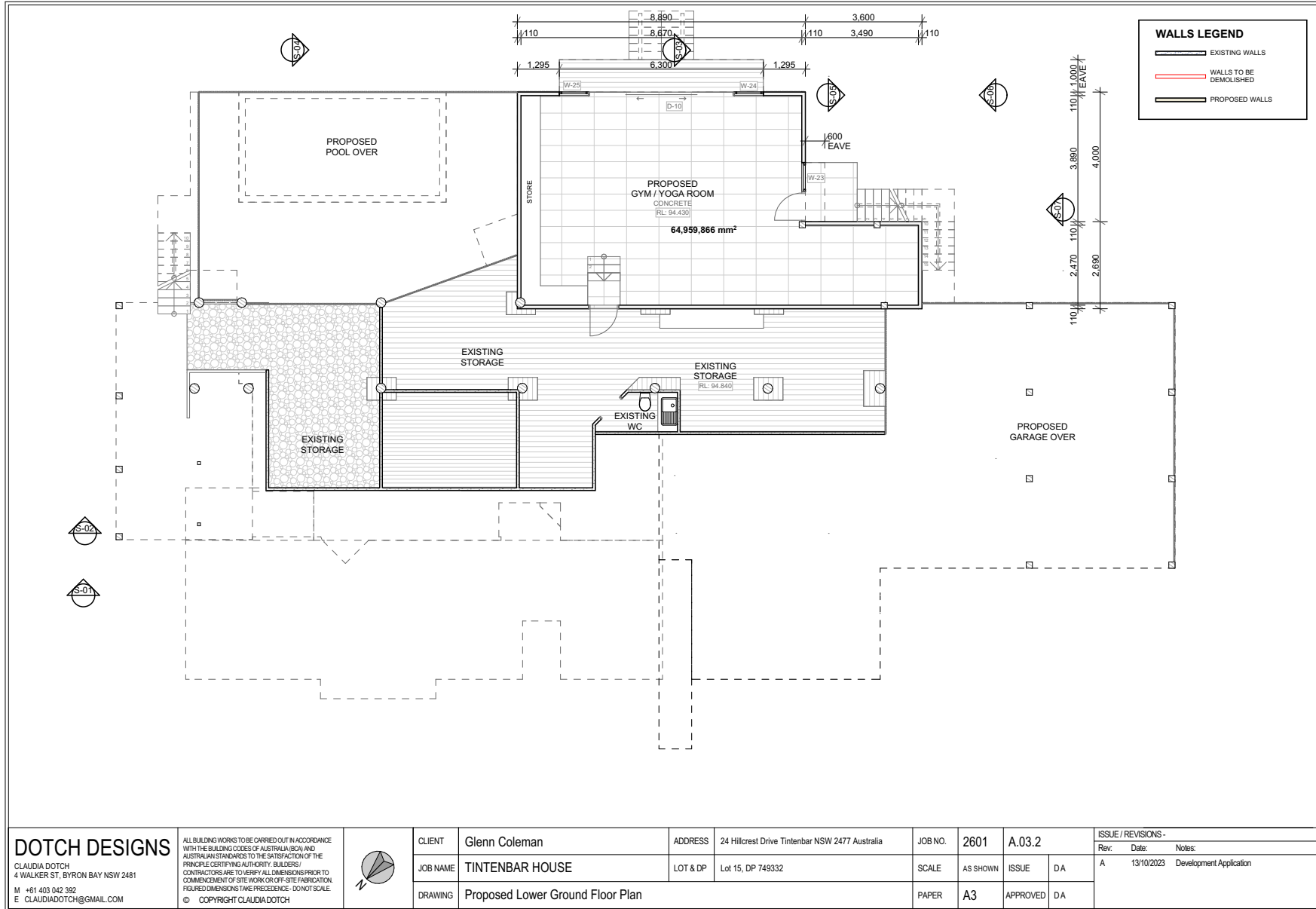
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JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE DA
DRAWING	Proposed Ground Floor Demolition Plan		PAPER	A3	APPROVED	DA

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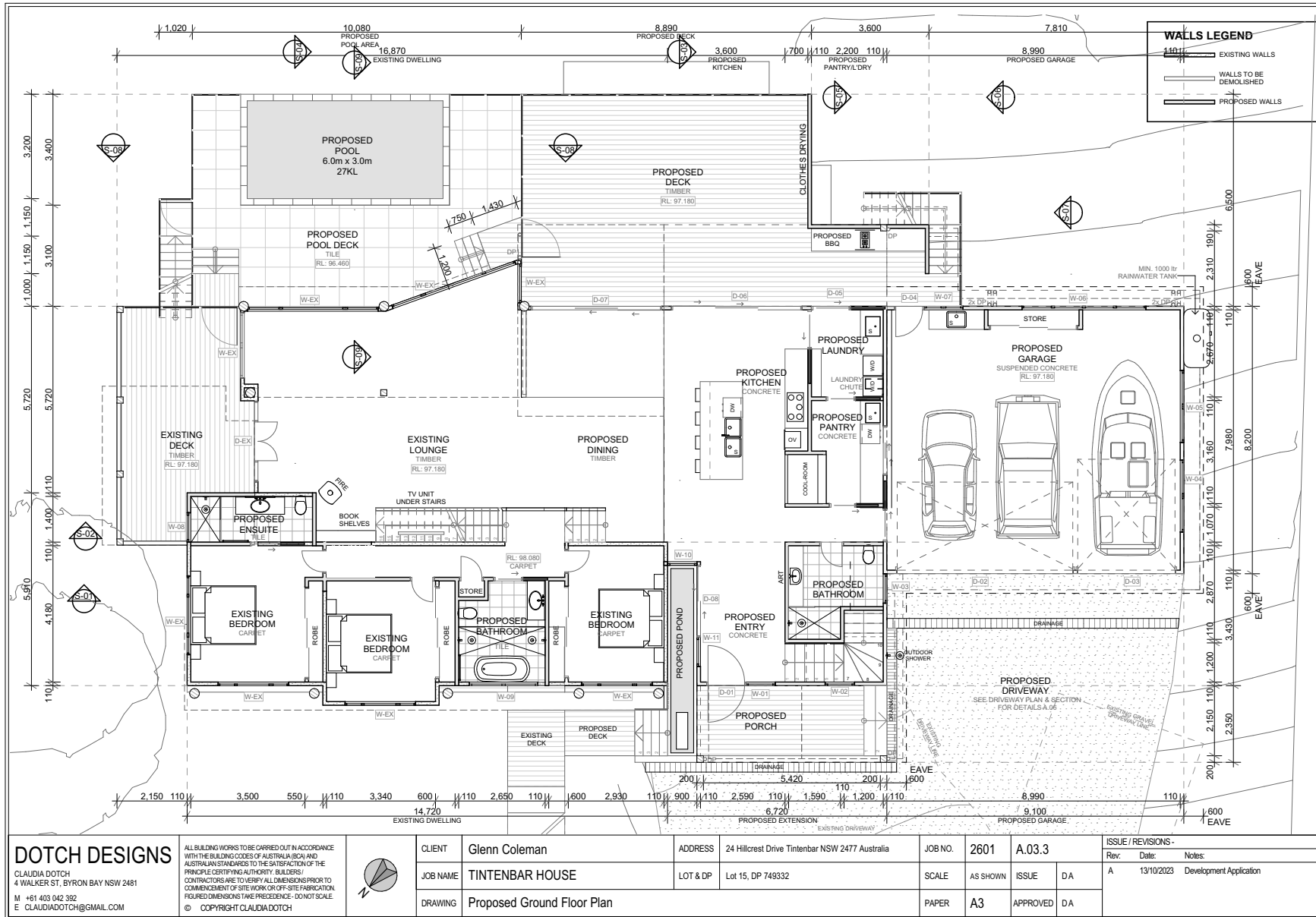
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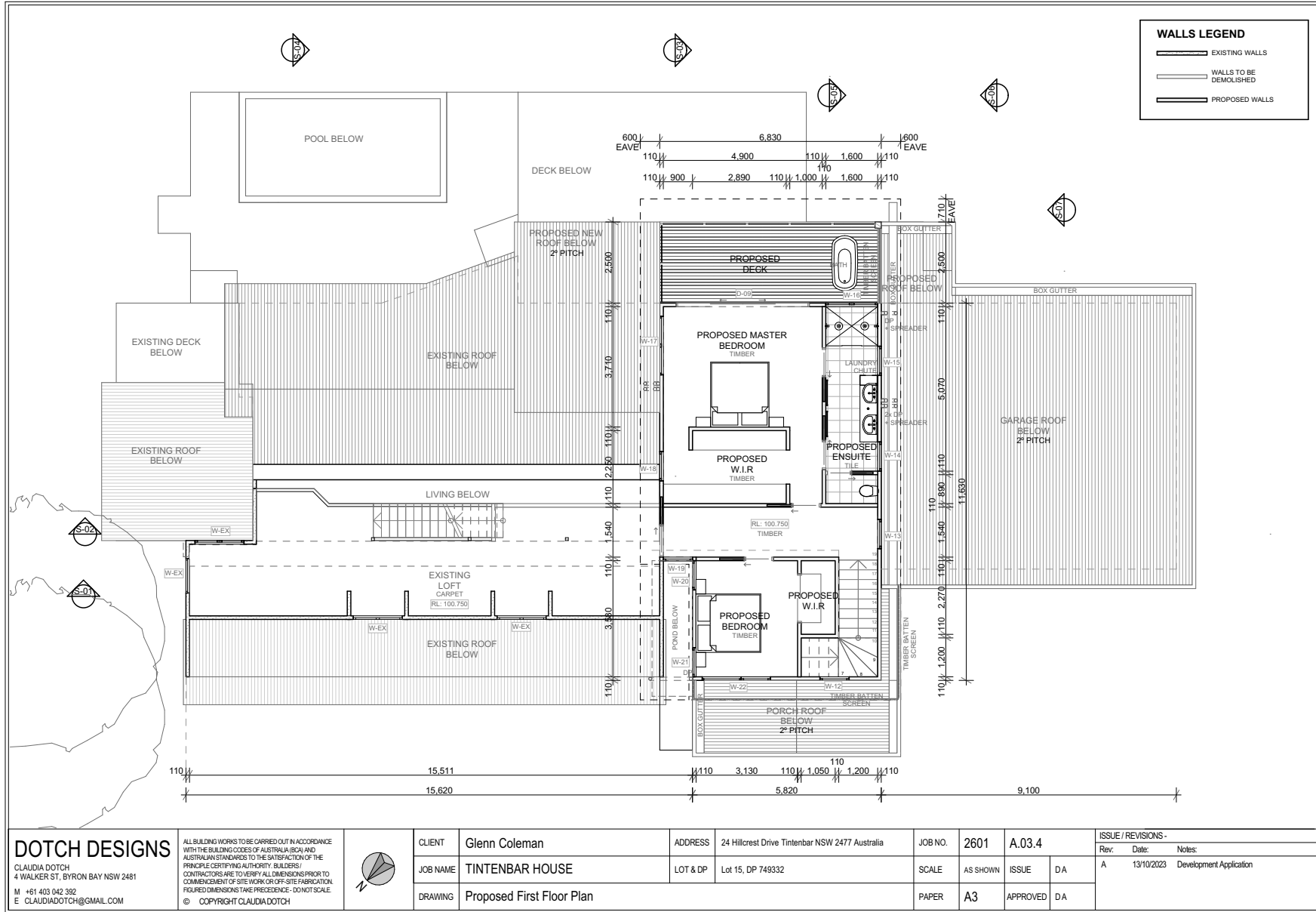


CLIENT Glenn Coleman  
 JOB NAME TINTENBAR HOUSE  
 DRAWING Proposed Ground Floor Plan

ADDRESS 24 Hillcrest Drive Tintenbar NSW 2477 Australia  
 LOT & DP Lot 15, DP 749332

JOB NO. 2601 A.03.3  
 SCALE AS SHOWN ISSUE DA  
 PAPER A3 APPROVED DA

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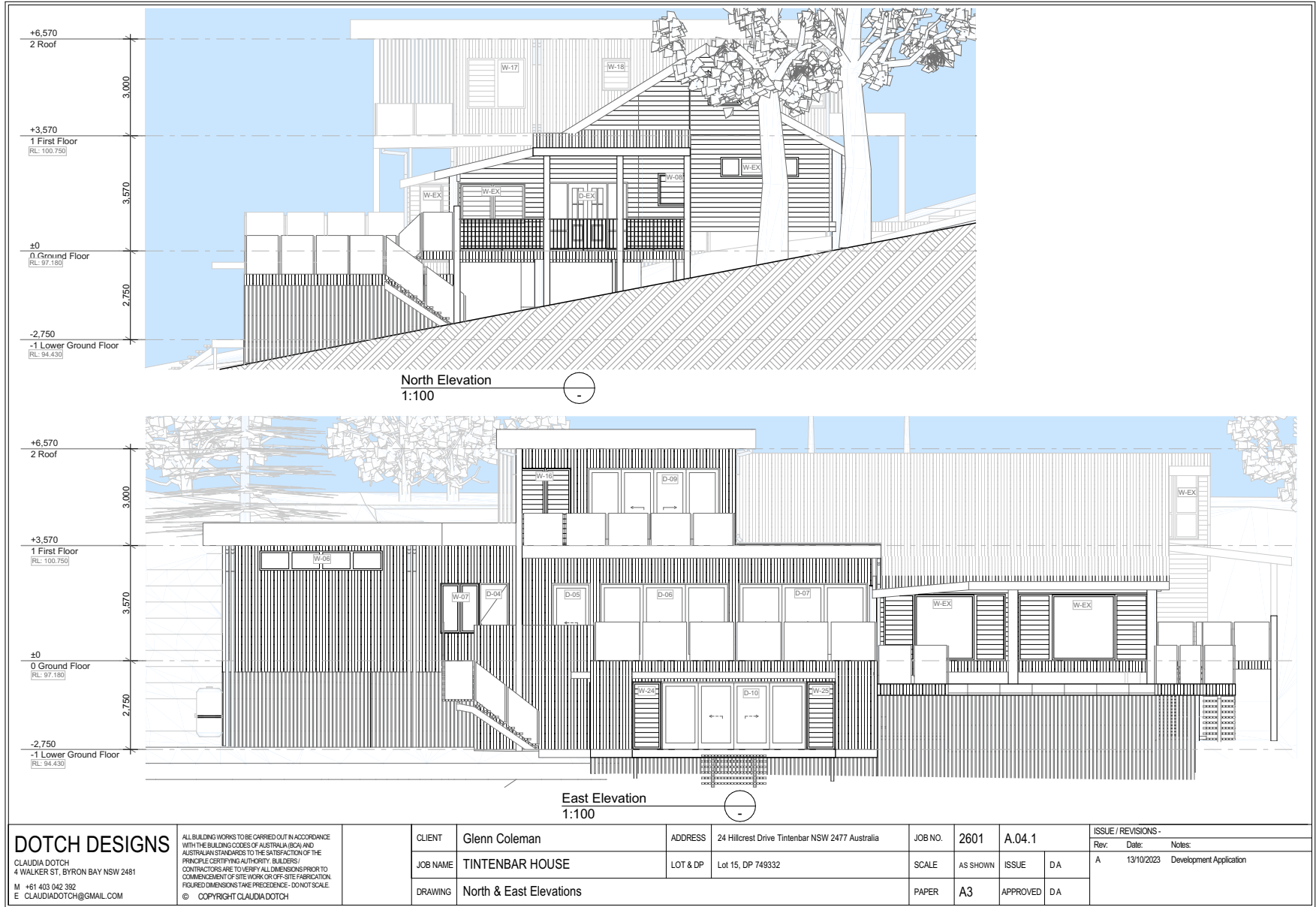
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JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE DA
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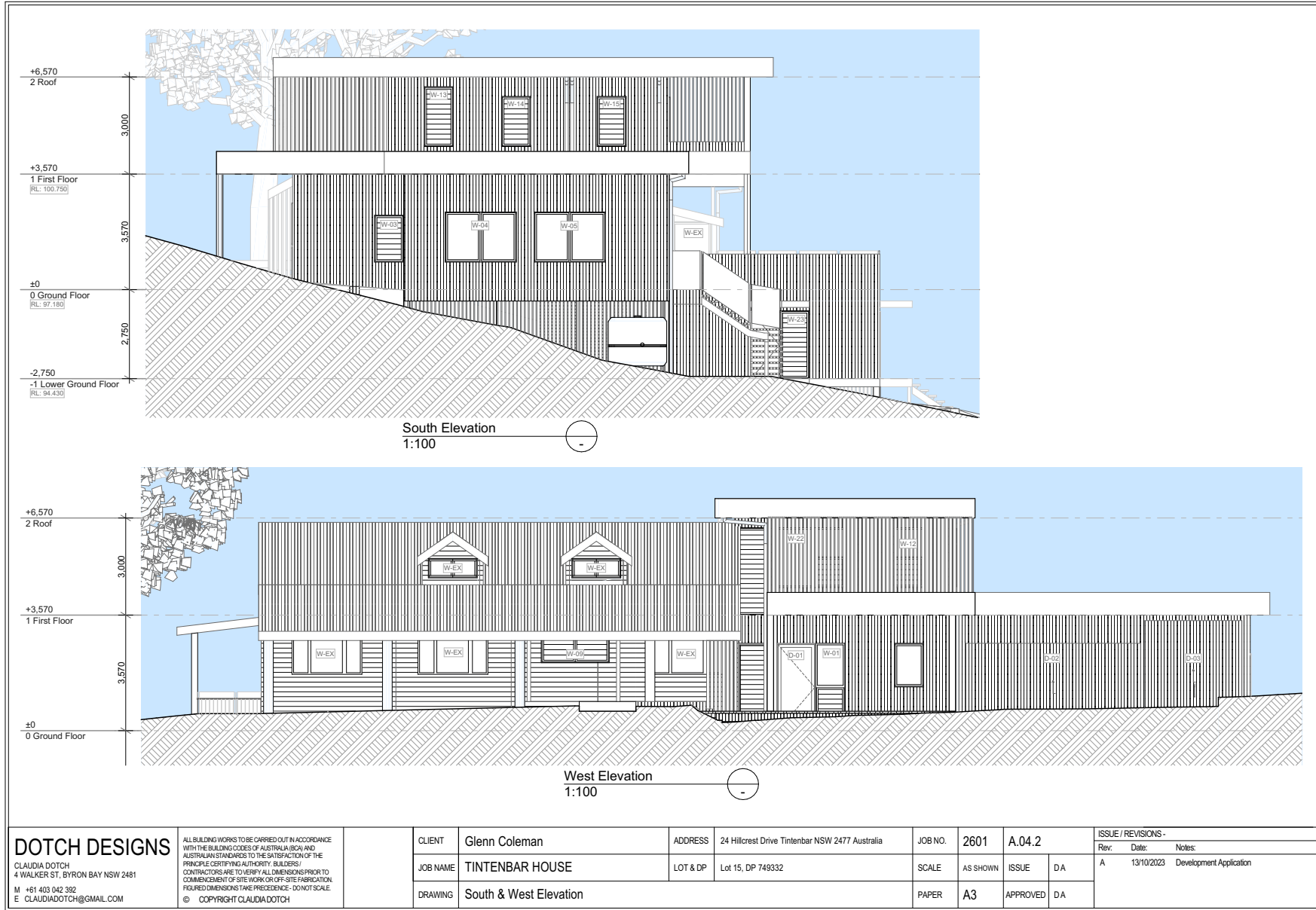


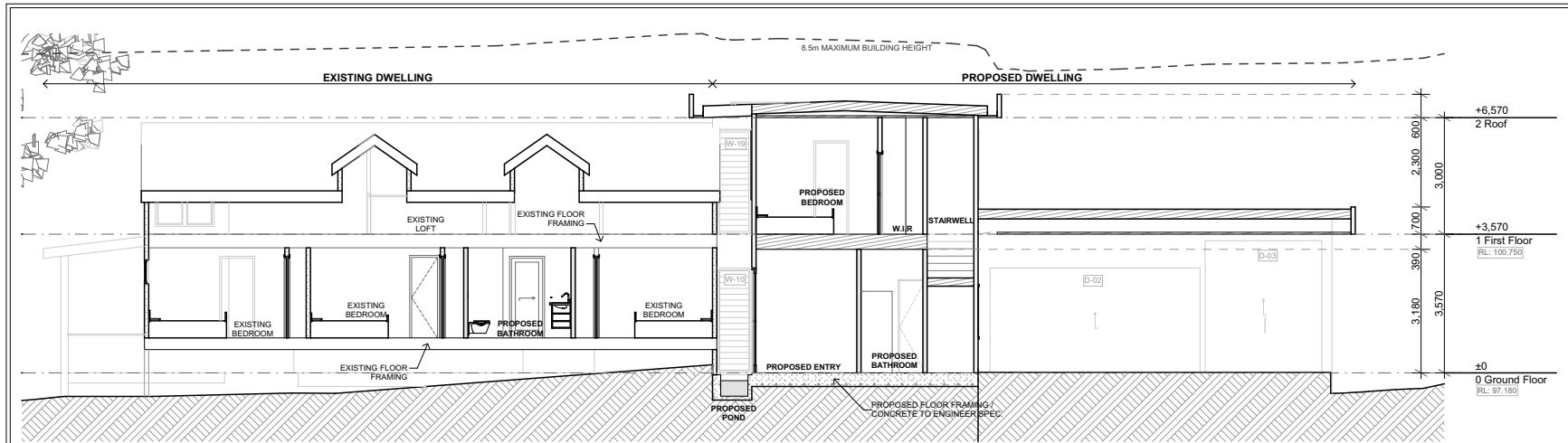


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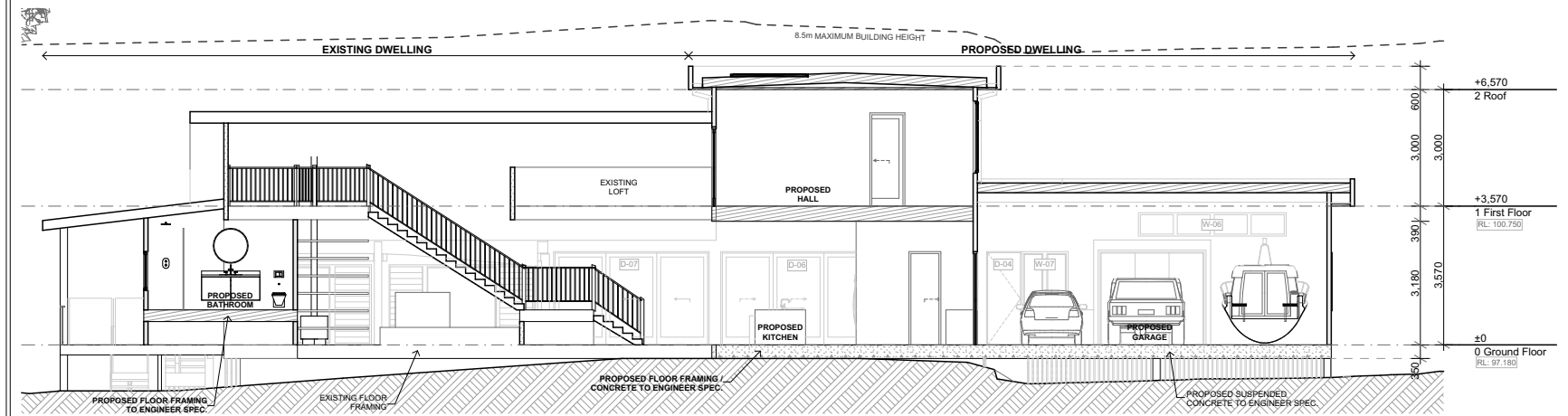


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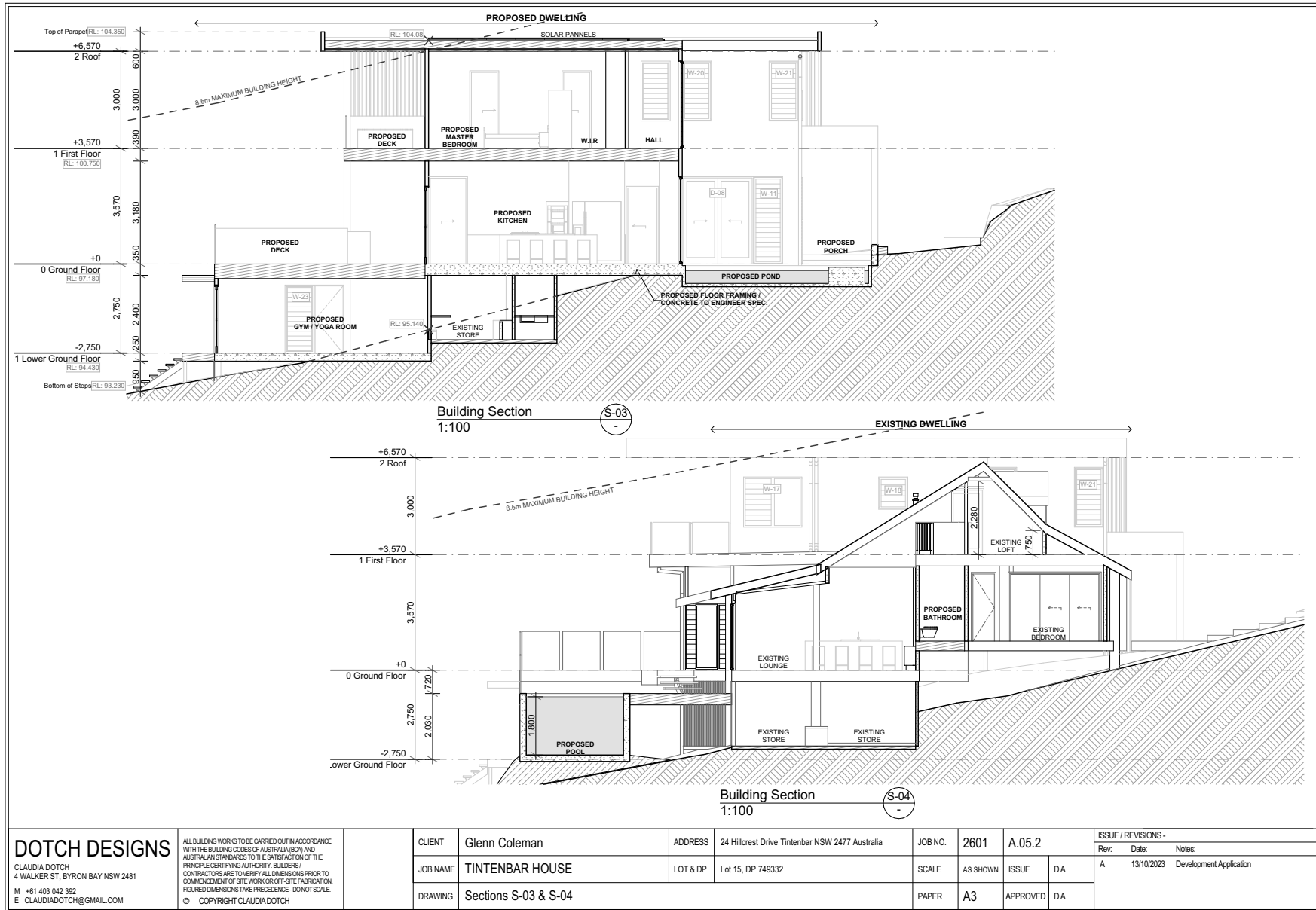


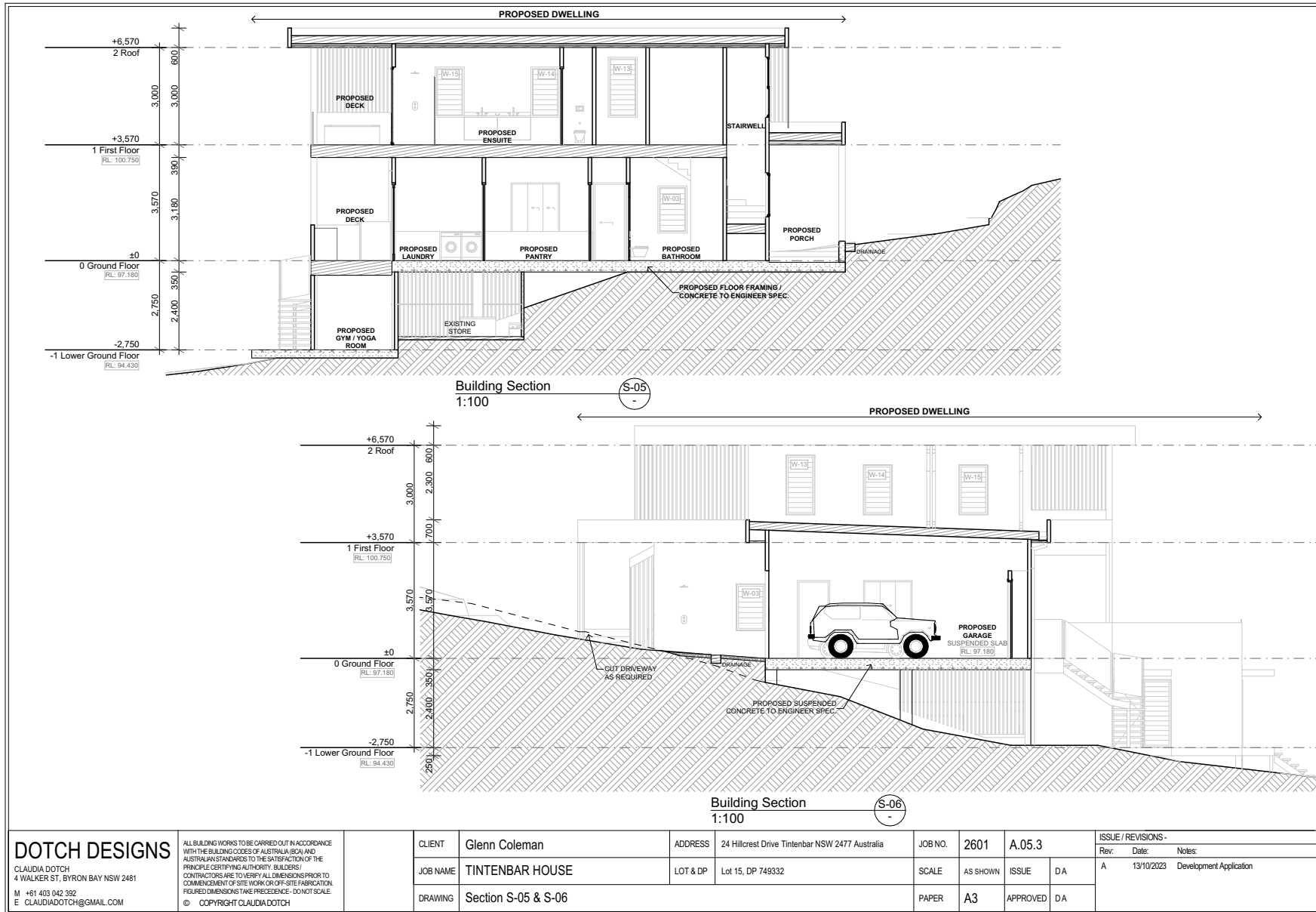
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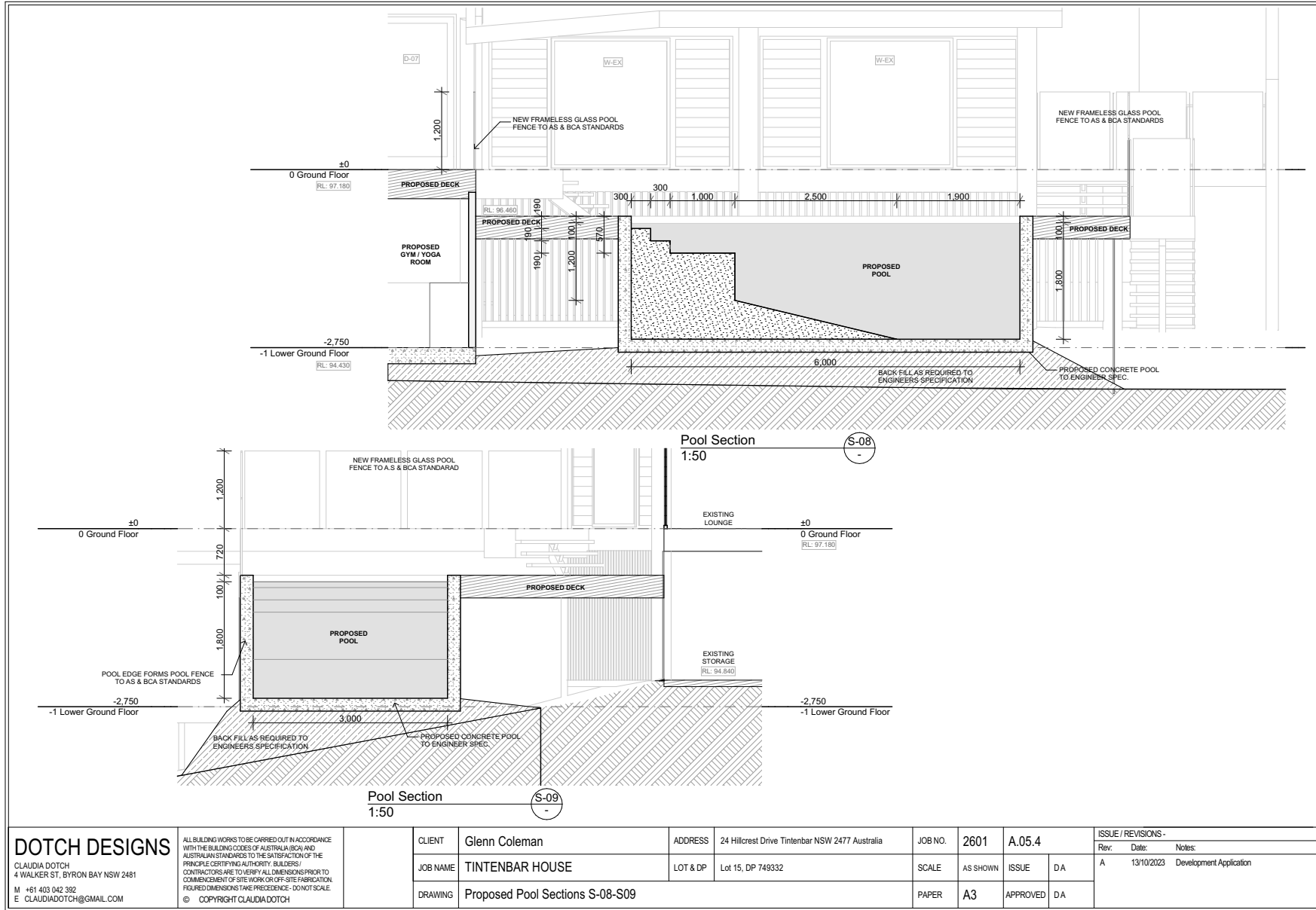


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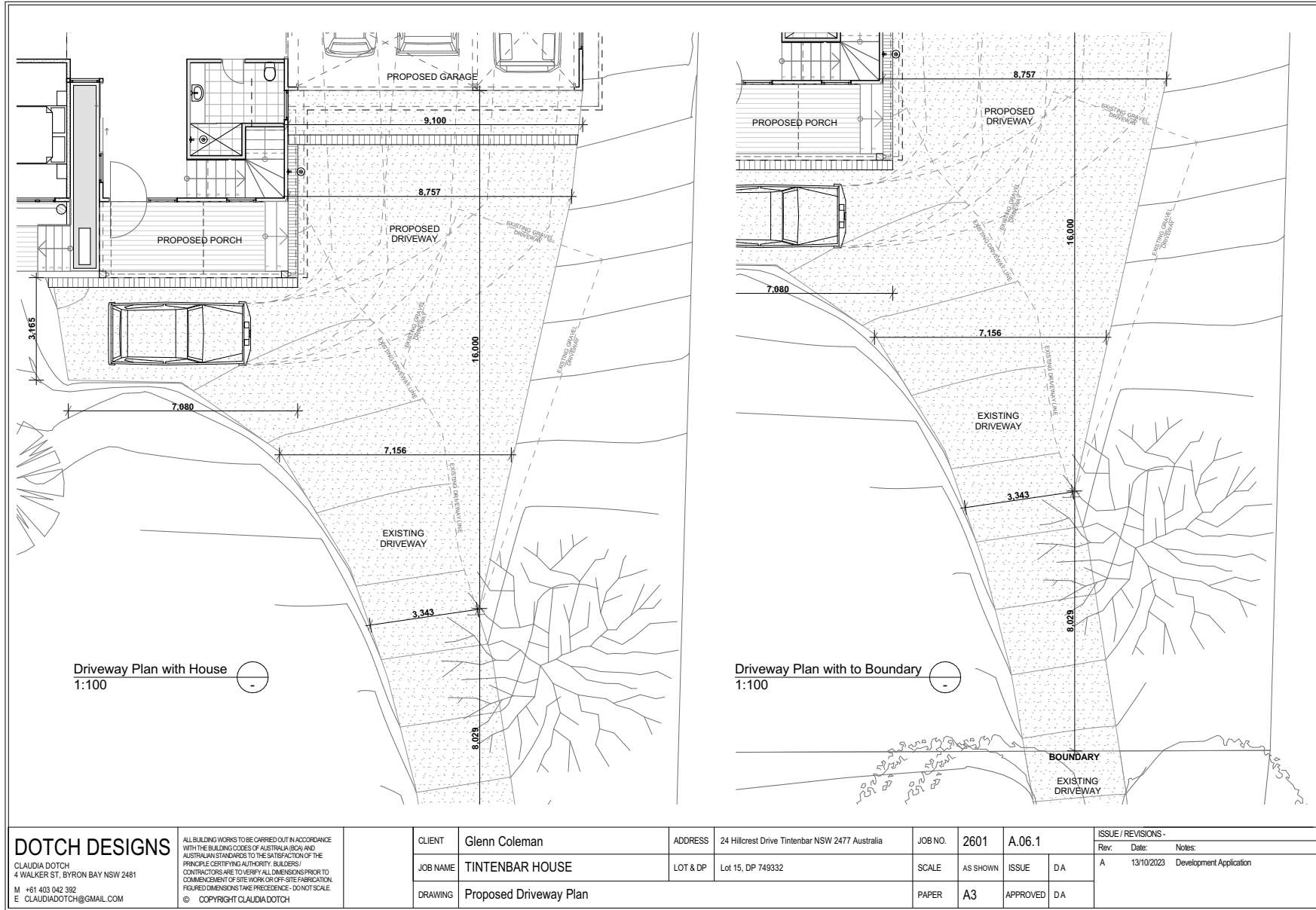
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		JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE		DA
		DRAWING	Sections S-01 & S-02	PAPER	A3	APPROVED	DA			







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		JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA	Rev:	Date: 13/10/2023
		DRAWING	Proposed Pool Sections S-08-S09		PAPER	A3	APPROVED	DA	Notes: Development Application		



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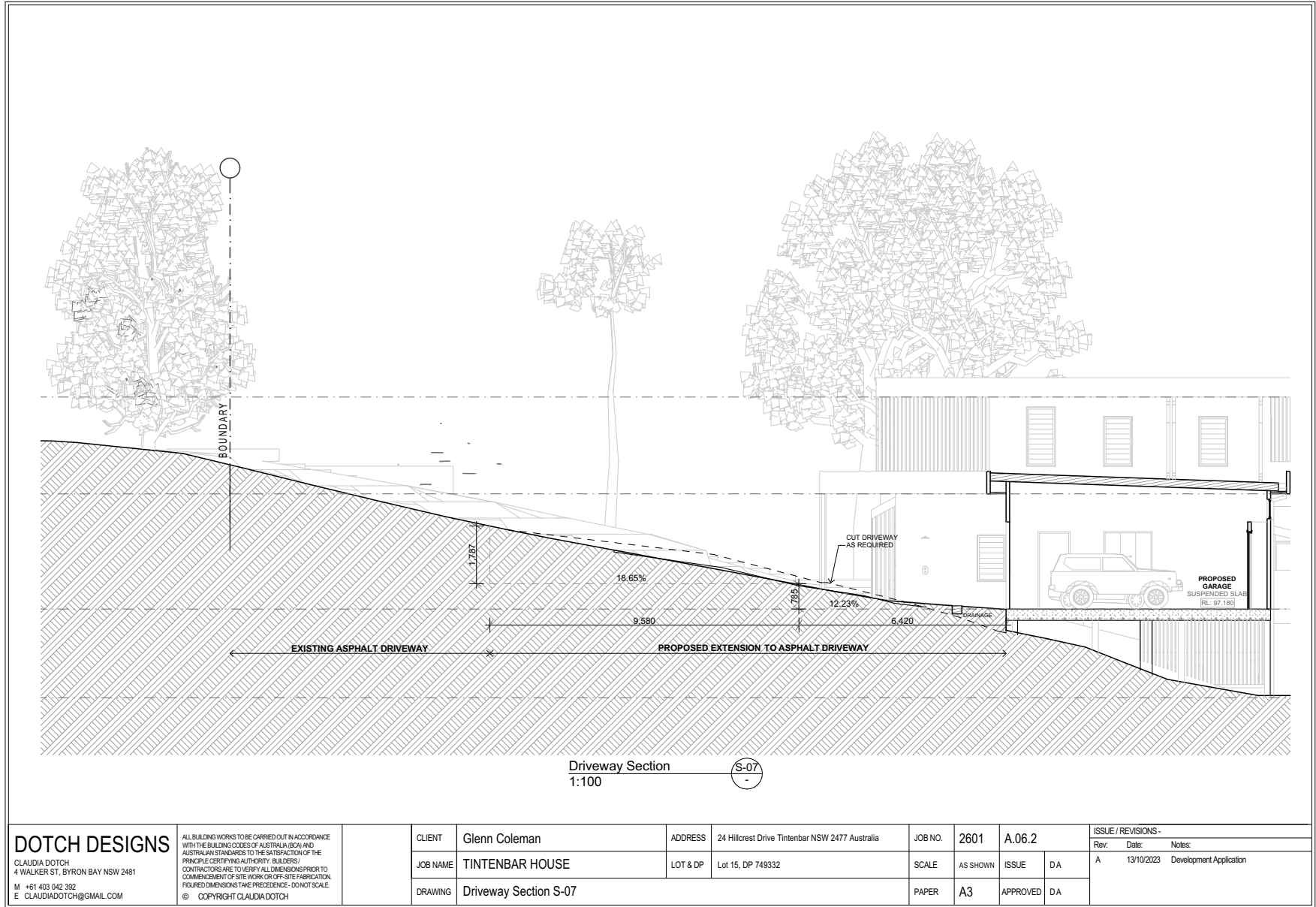
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JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA
DRAWING	Proposed Driveway Plan			PAPER	A3	APPROVED	DA

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**DOTCH DESIGNS**

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ALL BUILDING WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING CODES OF AUSTRALIA (SCA) AND AUSTRALIAN STANDARDS TO THE SATISFACTION OF THE PRINCIPLE CERTIFYING AUTHORITY. BUILDERS, CONTRACTORS ARE TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF SITE WORK OR OFF-SITE FABRICATION. FIGURED DIMENSIONS TAKE PRECEDENCE - DO NOT SCALE.  
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CLIENT	Glenn Coleman	ADDRESS	24 Hillcrest Drive Tintenbar NSW 2477 Australia	JOB NO.	2601	A.06.2	
JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA
DRAWING	Driveway Section S-07			PAPER	A3	APPROVED	DA

ISSUE / REVISIONS -		
Rev.	Date	Notes
A	13/10/2023	Development Application

## DOOR AND WINDOW SCHEDULE

\*ALL DOORS AND WINDOWS TO BE ALUMINIUM FRAME

**Legend**

- CG - Clear Glass
- Obs - Obscure Glass
- TL - Solid Louvre blades painted timber
- SJ - Silicone Joint

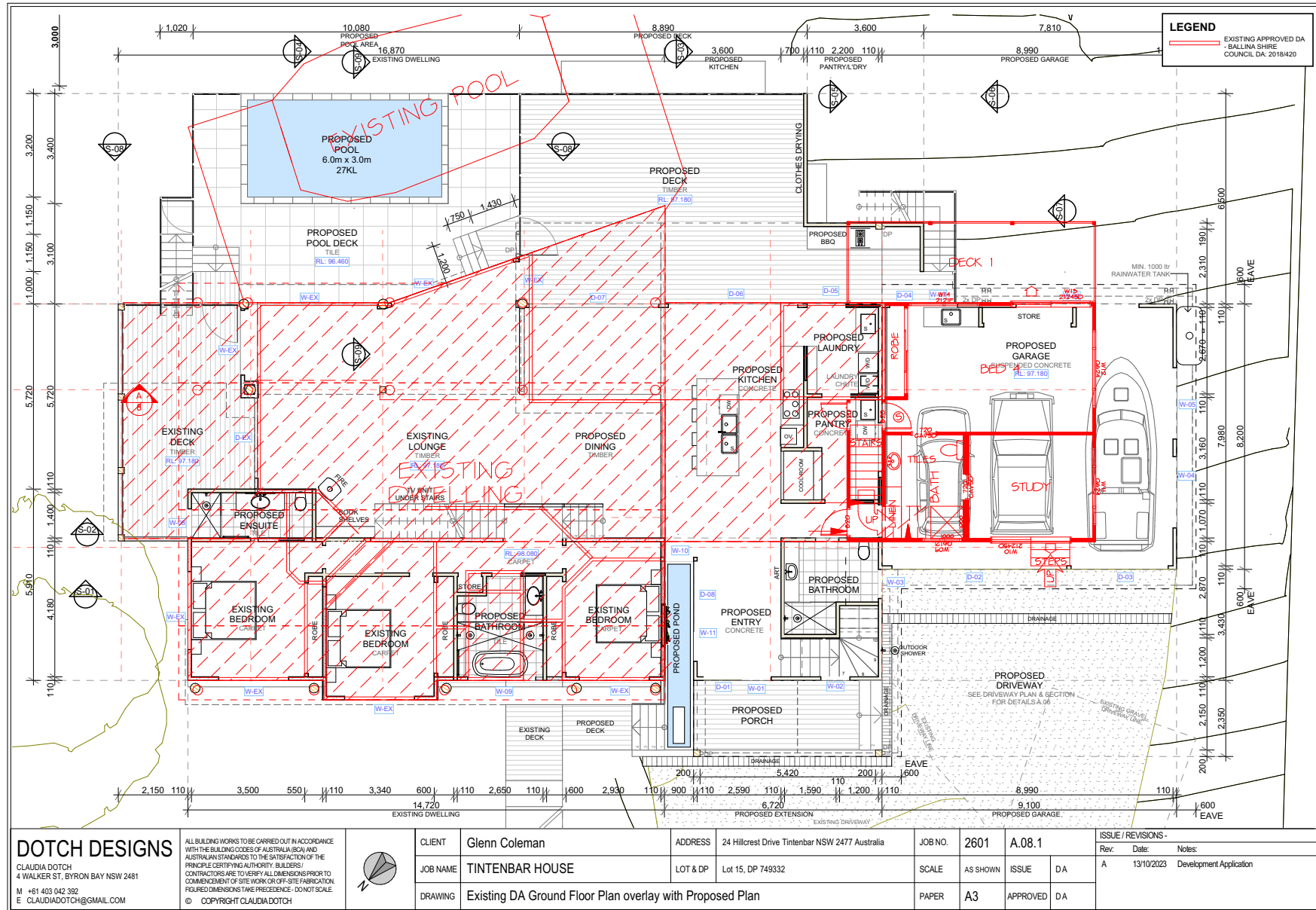
Window List			
ID	Unit Dimensions (W X H)	Sill Height	Description
W-01	900x2,700	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-02	900x1,350	1,350	PROPOSED FIXED CLEAR GLASS
W-03	900x1,450	850	PROPOSED SINGLE BANK FROSTED GLASS LOUVRES
W-04	2,200x1,550	850	PROPOSED AWNING WINDOWS, CLEAR GLASS
W-05	2,200x1,550	850	PROPOSED AWNING WINDOWS, CLEAR GLASS
W-06	3,800x600	2,800	PROPOSED AWNING WINDOWS, CLEAR GLASS
W-07	1,200x1,550	850	PROPOSED AWNING WINDOWS, CLEAR GLASS
W-08	900x1,000	1,400	PROPOSED SINGLE BANK FROSTED GLASS LOUVRES
W-09	2,100x800	1,200	PROPOSED OX, CLEAR GLASS, SLIDING WINDOW
W-10	900x2,700	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-11	900x2,700	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-12	900x1,850	850	PROPOSED FIXED CLEAR GLASS
W-13	900x1,850	850	PROPOSED CLEAR GLASS AWNING WINDOW
W-14	900x1,550	850	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-15	900x1,550	850	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-16	1,600x2,400	0	PROPOSED DOUBLE BANK, CLEAR GLASS LOUVRES
W-17	1,800x1,550	850	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES 900mm + FIXED GLASS
W-18	900x1,000	1,400	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-19	900x2,700	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-20	900x1,850	850	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-21	900x1,850	850	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-22	1,200x1,850	850	PROPOSED SINGLE BANK LOUVRES + 1200 FIXED GLASS
W-22	900x1,850	850	PROPOSED FIXED CLEAR GLASS
W-23	900x2,100	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-24	900x2,100	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-25	900x2,100	0	PROPOSED SINGLE BANK, CLEAR GLASS LOUVRES
W-EX	1,060x1,060	970	EXISTING WINDOW TO REMAIN
W-EX	1,200x2,100	0	EXISTING WINDOW TO REMAIN
W-EX	1,510x2,100	200	EXISTING WINDOW TO REMAIN
W-EX	1,510x600	1,150	EXISTING WINDOW TO REMAIN
W-EX	1,510x600	1,150	EXISTING WINDOW TO REMAIN
W-EX	2,000x1,210	860	EXISTING WINDOW TO REMAIN
W-EX	2,160x1,200	840	EXISTING WINDOW TO REMAIN
W-EX	2,160x1,200	840	EXISTING WINDOW TO REMAIN
W-EX	2,160x1,200	840	EXISTING WINDOW TO REMAIN
W-EX	2,410x600	1,400	EXISTING WINDOW TO REMAIN
W-EX	4,000x2,060	0	EXISTING WINDOW TO REMAIN
W-EX	4,000x2,060	0	EXISTING WINDOW TO REMAIN

Door List		
ID	Unit Dimensions (W X H)	Description
D-01	1,200x2,700	PROPOSED TIMBER PIVOT ENTRY DOOR
D-02	5,480x2,750	PROPOSED PANEL LIFT GARAGE DOOR
D-03	3,080x3,450	PROPOSED PANEL LIFT GARAGE DOOR
D-04	900x2,400	PROPOSED SOLID CORE, EXTERNAL GRADE, SIDE HINGE DOOR
D-05	1,200x2,400	PROPOSED CAVITY SLIDE TIMBER DOOR WITH GLASS PANEL
D-06	4,000x2,400	PROPOSED OXX GLASS SLIDING DOOR
D-07	4,000x2,400	PROPOSED OXX GLASS SLIDING DOOR
D-08	2,200x2,700	PROPOSED OX GLASS SLIDING DOOR
D-09	4,100x2,400	PROPOSED OXXO GLASS SLIDING DOOR
D-10	4,500x2,100	PROPOSED OXXO GLASS SLIDING DOOR
D-EX	2,480x2,130	EXISTING DOOR TO REMAIN

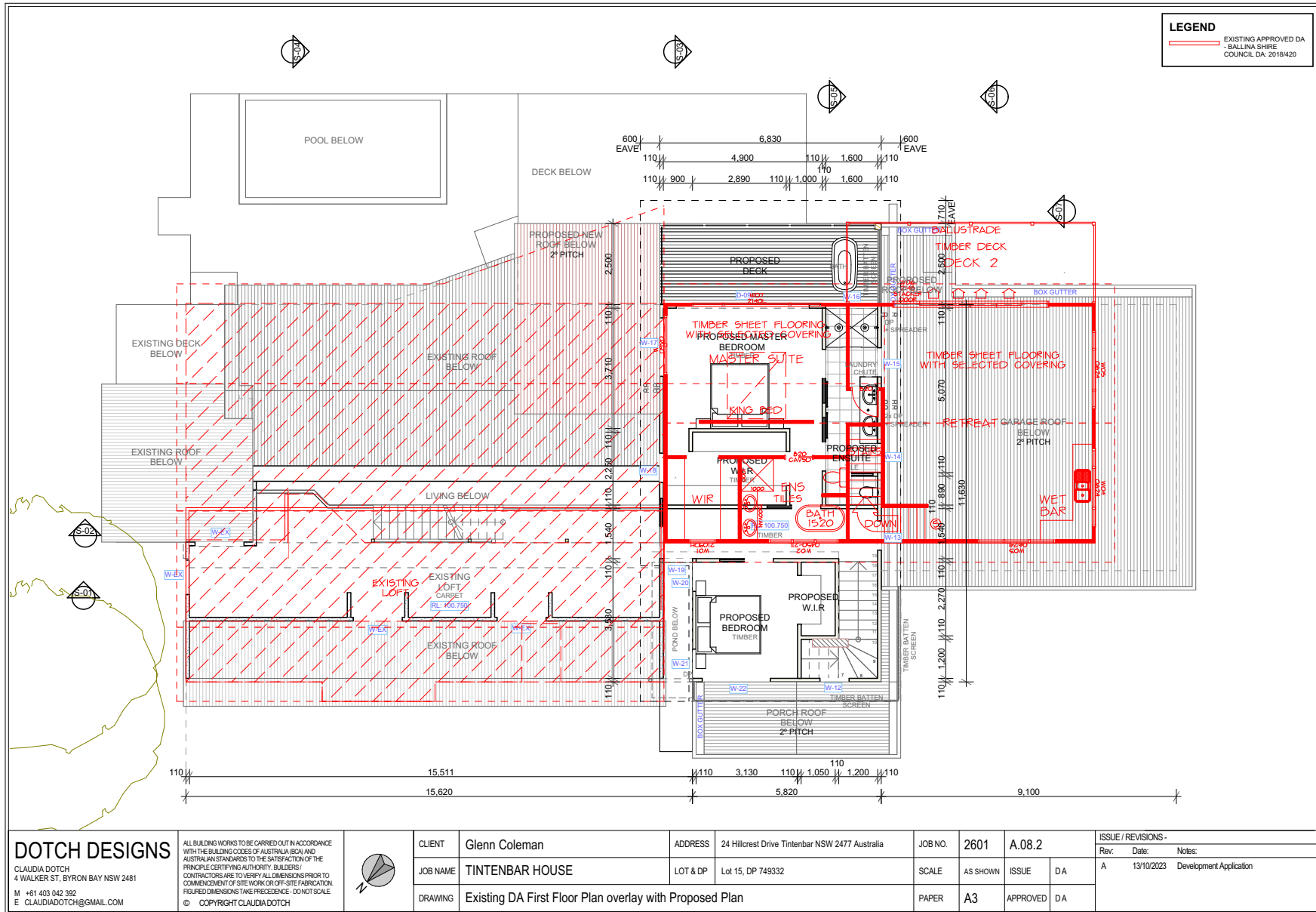
SIZES SHOWN ARE OPENING DIMENSIONS. BUILDER TO ALLOW TOLERANCE TO SUIT MANUF.  
All doors and windows to be aluminium frame.  
Top of door sills to be flush with internal FFL.  
All cavity sliders to be Torrex brand, internal side hung to the top of the range.  
All frames to be made out of aluminium unless otherwise specified - matte white finish  
All windows to be semi-commercial. External sliding doors to be semi-commercial measure on site

<b>DOTCH DESIGNS</b> CLAUDIA DOTCH 4 WALKER ST, BYRON BAY NSW 2481 M +61 403 042 392 E CLAUDIADOTCH@GMAIL.COM	ALL BUILDING WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING CODES OF AUSTRALIA (BCA) AND AUSTRALIAN STANDARDS TO THE SATISFACTION OF THE PRINCIPLE CERTIFYING AUTHORITY. BUILDERS/CONTRACTORS ARE TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF SITE WORK OR OFF-SITE FABRICATION. FIGURED DIMENSIONS TAKE PRECEDENCE - DONOT SCALE. © COPYRIGHT CLAUDIA DOTCH	CLIENT	Glenn Coleman	ADDRESS	24 Hillcrest Drive Tintenbar NSW 2477 Australia	JOB NO.	2601	A.07.1	ISSUE / REVISIONS -	
		JOB NAME	TINTENBAR HOUSE	LOT & DP	Lot 15, DP 749332	SCALE	AS SHOWN	ISSUE	DA	Rev: Date: Notes: A 13/10/2023 Development Application
		DRAWING	Window & Door Schedule	PAPER	A3	APPROVED	DA			

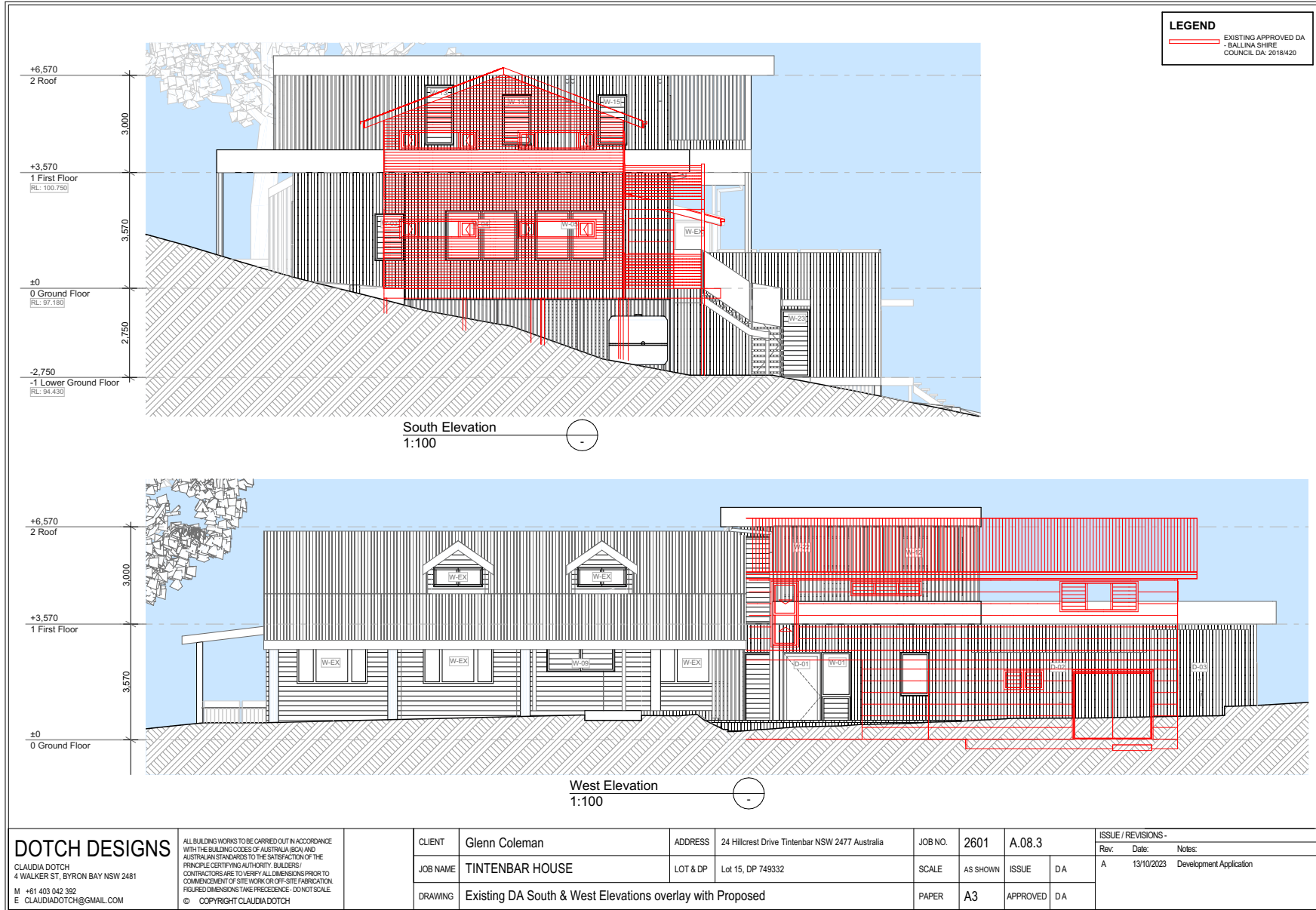
8.1 DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar



8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**



8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**



# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Alterations and Additions

Certificate number: A506161

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Thursday, 07, September 2023

To be valid, this certificate must be lodged within 3 months of the date of issue.



Description of project

Project address	
Project name	23618
Street address	24 Hillcrest Drive Tintenbar 2477
Local Government Area	Ballina Shire Council
Plan type and number	Deposited Plan 749332
Lot number	15
Section number	-
Project type	
Dwelling type	Attached dwelling house
Type of alteration and addition	My renovation work is valued at \$50,000 or more, and includes a pool (and/or spa).

<b>Certificate Prepared by</b> (please complete before submitting to Council or PCA)
Name / Company Name: Partners Energy Management
ABN (if applicable): 86638119847

8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**

BASIX Certificate number: A506161

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Pool and Spa	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
<b>Rainwater tank</b>			
The applicant must install a rainwater tank of at least 978 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rainwater runoff from at least 100 square metres of roof area.		✓	✓
The applicant must connect the rainwater tank to a tap located within 10 metres of the edge of the pool.		✓	✓
<b>Outdoor swimming pool</b>			
The swimming pool must be outdoors.	✓	✓	✓
The swimming pool must not have a capacity greater than 27 kilolitres.	✓	✓	✓
The applicant must install a pool pump timer for the swimming pool.		✓	✓
The applicant must not incorporate any heating system for the swimming pool that is part of this development.		✓	✓

8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**

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Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
<b>Lighting</b>			
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.		✓	✓
<b>Fixtures</b>			
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.		✓	✓
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.		✓	✓
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.		✓	



8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**

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Construction			Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
<b>Insulation requirements</b>					
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.			✓	✓	✓
Construction	Additional insulation required (R-value)	Other specifications			
concrete slab on ground floor.	nil				
suspended floor with open subfloor: framed (R0.7).	nil				
external wall: framed (weatherboard, fibro, metal clad)	R1.00 (or R1.40 including construction)				
internal wall shared with garage: plasterboard (R0.36)	nil				
flat ceiling, flat roof: framed	ceiling: R3.00 (down), roof: foil/sarking	medium (solar absorptance 0.475 - 0.70)			

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
<b>Windows and glazed doors</b>			
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.	✓	✓	✓
The following requirements must also be satisfied in relation to each window and glazed door:		✓	✓
Each window or glazed door with standard aluminium or timber frames and single clear or toned glass may either match the description, or have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.		✓	✓
Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.		✓	✓
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.	✓	✓	✓
For projections described as a ratio, the ratio of the projection from the wall to the height above the window or glazed door sill must be at least that shown in the table below.	✓	✓	✓
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.		✓	✓
External louvres and blinds must fully shade the window or glazed door beside which they are situated when fully drawn or closed.		✓	✓
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.		✓	✓
Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.	✓	✓	✓
<b>Windows and glazed doors glazing requirements</b>			

8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**

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Glazing requirements						Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing		Shading device	Frame and glass type		
			Height (m)	Distance (m)				
W-01	NW	2.4	0	0	projection/height above sill ratio >=0.43	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-02	NW	1.2	0	0	projection/height above sill ratio >=0.43	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-03	SW	1.3	0	0	projection/height above sill ratio >=0.43	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-06	SE	2.3	0	0	projection/height above sill ratio >=0.43	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-07	SE	1.9	0	0	projection/height above sill ratio >=0.23	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-08	NE	0.9	0	0	projection/height above sill ratio >=0.43	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-09	NW	1.7	0	0	projection/height above sill ratio >=0.43	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-10	NW	2.4	0	0	external louvre/blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-11	NE	2.4	3	0.9	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-12	NW	1.7	0	0	external louvre/blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-13	SW	1.7	0	0	projection/height above sill ratio >=0.29	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-14	SW	1.4	0	0	projection/height above sill ratio >=0.29	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-15	SW	1.4	0	0	projection/height above sill ratio >=0.29	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		

8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**

BASIX Certificate number: A506161

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Glazing requirements						Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing		Shading device	Frame and glass type		
			Height (m)	Distance (m)				
W-16	SE	3.8	0	0	projection/height above sill ratio $\geq 0.43$	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-17	NE	2.8	0	0	projection/height above sill ratio $\geq 0.29$	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)		
W-18	NE	0.9	0	0	projection/height above sill ratio $\geq 0.36$	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)		
W-19	NW	2.4	0	0	projection/height above sill ratio $\geq 0.43$	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W-20	NE	1.7	2.3	0.9	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W21	NE	1.7	2.3	0.9	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W22	NW	1.7	0	0	external louvre/blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W23	SW	1.9	0	0	projection/height above sill ratio $\geq 0.23$	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W24	SE	1.9	0	0	projection/height above sill ratio $\geq 0.43$	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W25	SE	1.9	0	0	projection/height above sill ratio $\geq 0.43$	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
D-06	SE	9.6	0	0	eave/verandah/ pergola/balcony $\geq 900$ mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
D-07	SE	9.6	0	0	eave/verandah/ pergola/balcony $\geq 900$ mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
D-08	NE	6	3	0.9	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		

8.1 **DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar**

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Glazing requirements						Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window / door no.	Orientation	Area of glass inc. frame (m <sup>2</sup> )	Overshadowing		Shading device	Frame and glass type		
			Height (m)	Distance (m)				
D-09	SE	9.6	0	0	eave/verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
D-10	SE	9.5	0	0	eave/verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W22	NW	2.2	0	0	external louvre/blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		

## 8.1 DA 2023/448 - Alterations and Additions - 24 Hillcrest Drive, Tintenbar

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Legend
In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a "✓" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a "✓" in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a "✓" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.

**Development Application Assessment Form***(Pursuant to s 4.14 and s.4.15 (1) of the EP & A Act 1979)***Application Details**

<b>Development Application No.</b>	<b>2023/448 - PAN-382593</b>
<b>Property Description</b>	Lot: 15 DP: 749332, 24 Hillcrest Drive TINTENBAR
<b>Proposed Development</b>	<p>Alterations and additions to a dwelling comprising of:</p> <ul style="list-style-type: none"> <li>• Modifying the existing layout of the bedrooms, lounge room and bathrooms</li> <li>• New kitchen within the footprint of the existing garage</li> <li>• New double garage</li> <li>• New entry</li> <li>• New deck</li> <li>• Additional second storey master bedroom, ensuite and an additional bedroom</li> <li>• New swimming pool</li> <li>• Removal of the existing onsite septic system and replace with new system</li> </ul>
<b>Building Classification</b>	1a
<b>Site Inspection Date</b>	19 December 2023

**Assessment of the Application**

The assessment officer responsible for the preparation of this report, (including recommendations/ determination or advice to any person) has delegated authority to deal with this application has no pecuniary interest or conflict of interest to disclose in respect to the application.

Only those sections applicable to the application need to be completed. Where an item is not applicable the field may be left blank.

**Type of Development**

The development is not Designated Development.

The development is not Integrated Development. It does not involve sub-division of bushfire prone land and referral to any NSW State Government authority is not required.

**Land Ownership**

The application is not for development on Crown Land.

The application is not for development on land owned by Ballina Shire Council.

**Existing Development**

- Existing development on the lot consists of:
  - a dwelling
  - a swimming pool
  - on-site septic system

**Section 4.14 Consultation and development consent—certain bush fire prone land**  
*(cf previous s 79BA)*

- The property is not mapped as bushfire prone land.

**Section 4.15(1)(a)(i) - The provisions of any Environmental Planning Instrument State Environmental Planning Policies (SEPP)**

Compliance is achieved with the following SEPPs as applicable:

**SEPP (BASIX) 2004**

- A BASIX Certificate has been provided and the commitments will be included in the documents to be issued with any consent.

**SEPP (Biodiversity and Conservation) 2021**

Koala Habitat Protection – Refer to BSC Koala Management Strategy (KMS)

- Not applicable – not mapped as core koala habitat.

**SEPP (Resilience and Hazards) 2021**

**Division 1 Coastal wetlands and littoral rainforests area**

- Not applicable – the land is not mapped as coastal wetlands and littoral rainforests area.

**Division 2 Coastal vulnerability area**

- Not applicable – no map at this time.

**Division 3 Coastal environment area**

- Not applicable – the land is not mapped as coastal environment area.

**Division 4 Coastal use area**

- Not applicable – the land is not mapped as coastal use area.

**Division 5 General**

- Not applicable – the land is not mapped as being within the coastal zone.

**Chapter 4 Remediation of Land**

- There are no likely contamination issues as the site currently contains a dwelling house.

**SEPP (Resources and Energy) 2021**

- The proposed development is not in the vicinity of an existing mine, petroleum production facility or extractive industry.

**SEPP (Transport and Infrastructure) 2021**

**Clause 2.48 Determination of development applications—other development**

- Referral to Essential Energy is not required as
  - The development does not involve the penetration of ground
    - within 2m of an underground electricity power line or an electricity distribution pole, or
    - within 10m of any part of an electricity tower
  - The development is not to be carried out
    - within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or



- immediately adjacent to an electricity substation, or
- within 5m of an exposed overhead electricity power line, or
- Any part of the swimming pool is
  - not within 30m of a structure supporting an overhead electricity transmission line (measured horizontally from the top of the pool to the bottom of the structure at ground level), or
  - within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool
- It is not development involving or requiring the placement of power lines underground.

**Local Environmental Plans (LEP)**

The land has the following zoning under the BLEP 2012:

- RU1 Primary Production





The proposed development permissible within this zone and meets the zone objectives.

**Part 4 Principal development standards**

- 4.3 & 4.3A The overall height exceeds 8.5m, and a Clause 4.6 variation has been requested in writing and has been assessed below. The maximum proposed height is 10.1 (as stated in applicant's revised clause 4.6 request. 12/2/24).
- 4.4 & 4.5 The gross floor area does not exceed the maximum floor space ratio of 0.5:1 as it is 0.06:1.
- 4.6 A request to vary a development standard has been lodged and Council has assumed concurrence to determine the application. Refer to table below for details.

<b>BLEP 2012 - Clause 4.6</b>
<b>Assessment of requested variation</b>

<p>a) What is the development standard being varied?</p>	<p>The development seeks to vary Clause 4.3 of the Ballina Local Environmental Plan 2012.</p> <p>The maximum height established under this clause is 8.5m</p> <p>A portion of the proposal has a building height of 10.1m which exceeds the maximum allowance of 8.5m, by 1.6m or 19%.</p>
<p>b) What is the underlying objective of this development standard?</p>	<p>The objectives of Clause 4.3 are as follows—</p> <p>(a) to ensure that the height of buildings is compatible with the bulk, scale and character of the locality,</p> <p>(b) to minimise adverse impacts on existing or future amenity of adjoining properties and the scenic or landscape quality of the locality,</p> <p>(c) to protect significant views from public places.</p>
<p>c) In accordance with clause 4.6 of BLEP 2012:</p> <ul style="list-style-type: none"> <li>• Has the applicant's written request adequately addressed the matters required to be demonstrated by subclause (3) of Clause 4.6 (i.e. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard)?</li> </ul>	<p>Yes</p> <p>The applicant attributes the height variation to the sloping topography of the site. This results in the dwelling appearing to be single storey from the street, whilst the main bulk of the dwelling will be the rear elevation, not visible to the public.</p> <p>The portion of roof that will breach the 8.5m height limitation is located at the rear of the dwelling, over the proposed new deck.</p> <p>Given the approximate 15m setbacks to adjoining properties and existing vegetation, it is considered that there are no unreasonable impacts on solar access and overshadowing to the adjoining properties.</p> <p>The generous setbacks from the front and rear boundaries and the existing vegetation also screen the dwelling well from public view.</p> <p>There are minimal adverse impacts on amenity to private or public land.</p> <p>Approximately 10% of the total roof area exceeds the 8.5m height.</p>

	 <p><b>View of rear of existing dwelling</b></p> <p>It is unreasonable and unnecessary to require strict compliance with the 8.5m standard when the majority of the development will comply and the portion that contravenes the standard will not adversely impact on views or amenity.</p>
<p>d) Will the cumulative effect of similar approvals undermine the objective of the development standard or the objectives of the zone?</p>	<p>No</p> <p>The proposed height variation is situated on the rear (southern) elevation of the dwelling which will not result in a demonstrable impact to adjoining properties or to the scenic/landscape quality of the locality.</p> <p>Site inspection revealed that the existing dwellings is well setback from the streetscape, with substantial mature vegetation obscuring the bulk of the buildings from the street and from neighboring properties.</p>  <p><b>Street view of subject property taken from Hillcrest Drive</b></p> <p>Existing dwellings on the low side of Hillcrest Drive are constructed in response to the sloping land and are of similar size and bulk to the proposed development with generous setbacks from the allotment boundaries and ample landscaping.</p> <p>The cumulative impact would result in a detrimental impact to the amenity of the area, nor undermine the objectives of the zone.</p>
<p>The consent authority must be satisfied that</p>	<p>Yes</p>

<p>the matters in clause 4.6(3)(a) and 4.6(3)(b) have been demonstrated in the written request:</p> <p>(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—</p> <p>(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and</p> <p>(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.</p>	<p>The proposal is appropriate and consistent with the objectives and intent of Clause 4.3 of the LEP.</p> <p>Strict compliance with the LEP in this case is unreasonable and unnecessary for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed development is consistent with the intent of Clause 4.3 of the LEP which is to minimise adverse amenity impacts on neighbouring residential properties with a design that responds to the site's topography.</li> <li>• The proposal will not result in the loss of views, nor will it result in adverse amenity impacts.</li> <li>• The departure from the height control proposed is minor, and relates to a small section of eave and deck roof, which exceed the specified height limits for the site by up to 1.6m. The departure represents a 19% exceedance of the height limit.</li> </ul> <p>As outlined within this report, the proposed development an appropriate response to the site and that the variation is justified in this instance.</p>
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**Part 5 Miscellaneous provisions**

- 5.4 The proposal is not for a Secondary dwelling, Bed & Breakfast, Home business or Home occupation.
- 5.10 The development is not in the vicinity of, nor does it does not involve altering a heritage item as listed in Schedule 5 of the LEP or disturbing an aboriginal place of heritage significance.

**Part 7 Additional local provisions**

- 7.1 The proposal is not located on land having acid sulfate soil (ASS) on Council's mapping system.
- 7.4 The development is not likely to impact on the drinking water storage in a drinking water catchment.
- 7.5 The site is outside of the OLS mapping layer.
- 7.6 The development will not increase in the number of dwellings or people affected by aircraft noise.
- 7.7 Water, electricity, sewage disposal, stormwater drainage and vehicular access are available.

**Section 4.15 (1)(a)(ii) - The Provisions of any Draft Environmental Planning Instrument**

There are no draft EPIs in relation to the development.

**Section 4.15(1)(a)(iii) – Ballina Shire's Development Control Plan (DCP) 2012**

Only those matters of relevance to the application need to be addressed.

**Chapter 1 - Administration**

The land is not located within a deferred area under the Ballina LEP 2012 as it is zoned RU1 Primary Production.

**Council's Building Over Assets Policy**

**Sewer**

- The development is sufficiently clear of Council's sewer assets

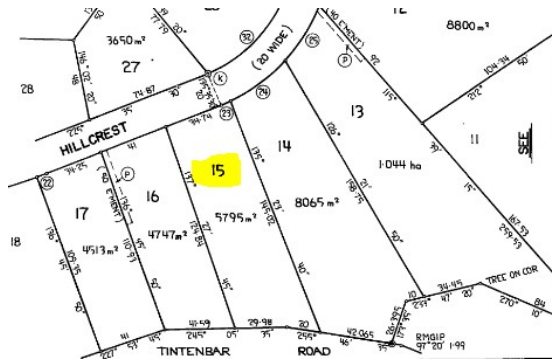
**Stormwater**

Condition will be applied for all roofwater and surfacewater drains to be discharged to an on-site infiltration system design by a suitable qualified person

**Protection of Trees on Council land**

- There are no trees on Council owned land that require protection

**Easements and Private covenant issues (S.88B)**



- The proposed development is clear of all easements

**Private covenant issues (S.88B)**

- None applicable

**Restrictions on use**

- None applicable

**3.2.2 Pre-lodgement meetings**

- There have been no pre-lodgement meetings other than possible over the counter advice.

**3.2.3 Stop the Clock**

- The assessment of the application has not been put on hold under the Stop the Clock provisions of the Act.

**3.2.4 & 3.2.5 Public Notification, Exhibition & Submissions**

- It is considered that the development will not create any unreasonable impacts on surrounding properties and therefore the application has not been publicly notified.

**3.2.6 All applicable fees have been paid for the:**

- Development Application
- Section 68 application
- OSSM application

**Chapter 2- General and Environmental Considerations**

The development will comply with, or can be conditioned to comply with the following applicable provisions of this Chapter:

- 3.1 Land Use Conflict**
  - Not applicable because the proposed development for alterations and additions to a dwelling is excluded from the Land Use Conflict Risk Assessment.
- 3.2 Ridgelines and Scenic Areas**
  - Not applicable as the land is not included on the Ridgelines and Scenic Areas Map.
- 3.3 Natural Areas and Habitat**
  - Not applicable the land is not included on the Natural Areas and Habitat Map and Wildlife Corridors Map.
- 3.3A Koala Habitat Management**
  - Not applicable as the land is not included on the Preferred Koala Habitat and/or Core Koala Habitat maps as contained within the Ballina Shire Koala Management Strategy.
- 3.4 Potentially Contaminated Land**
  - Not applicable because the land currently contains a dwelling house.
- 3.5 Land Slip/Geotechnical Hazard**
  - The SEE states that the proposed earthworks are minor in nature and further geotechnical investigation will be undertaken at the Construction Certificate phase in association with the detailed engineering design.



- 3.6 Mosquito Management**
  - The land is located within the Elevated Land area.
  - Standard conditions apply for the screening of new windows and doors.
- 3.7 Waste Management**
  - Standard conditions to apply.
- 3.8 On-site Sewage Management Systems**
  - Standard conditions to be applied for Approval to Install and Approval to Operate to be obtained.
  - An application has been received with the required effluent management report

- 3.9 Stormwater Management**
- Standard conditions to be applied for discharge of stormwater.
- 3.10 Sediment and Erosion Control**
- Standard conditions to apply.
- 3.11 Provision of Services**
- All services are available.
  - Standard condition to apply for Section 68 approval to be obtained.
- 3.12 Heritage**
- Not applicable as the development is not within or adjoining sites identified as being of heritage significance under the BLEP 2012 and 1987 or State or National Heritage Registers.
- 3.13 Drinking Water Catchments**
- Not applicable as the development is not on land identified as being located within a drinking water catchment on the BLEP 2012 Drinking Water Catchment Map.
- 3.14 Coastal Hazards**
- Not applicable as the land is not identified on the Coastal Hazard Protection Map.
- 3.15 Crime Prevention through Environmental Design**
- Not applicable to this development type.
- 3.16 Public Art**
- Not applicable to this development type.
- 3.17 Road Widening**
- Not applicable as the land is not shown on the Road Widening Policy Map.
- 3.18 Protection of Foreshore and Public Open Space Areas**
- Not applicable as the land is not adjoining foreshore and public open space areas.
- 3.19 Car Parking and Access**
- The proposed garage has been designed to provide parking for 2 cars and one boat which complies. The existing driveway will be enlarged in front of the building to vehicles to exit onto Hillcrest Drive in a forward direction.
- 3.20 Vibration**
- It is unlikely that driven piles will be required for this type and scale of development.
- 3.21 Bushfire Management**
- Not applicable as the land has not been designated (mapped) as bush fire prone land under legislation; or identified in the course of assessing the application as being land that can support a bush fire or is likely to be subject to bush fire attack.
- 3.22 Road Noise Mitigation**
- Not likely issues for this type and scale of development.
- 3.23 Waterway Structures**
- No waterway structures are proposed.

**Chapter 2a - Vegetation****Urban Zones**

- The development does not involve the removal of:
  - Any tree either native or non-native with a height of 6 metres or greater; or
  - Any tree of the species *Pandanus tectorius* (Screw Pine) with a height of 3 metres or greater and located in East Ballina, Lennox Head or Skennars Head; or
  - Any vegetation located on land identified as Significant Urban Bushland on the Significant Urban Bushland Map; or

- Any tree with a height of 3 metres or greater located on land containing an Item of Environmental Heritage as specified in Schedule 5 of the Ballina Local Environmental Plan 2012

**Chapter 2b- Flood Plain Management**

- Not applicable as the land is not land within the floodplain as identified by the coloured areas within the DCP Map, Figure 1, or other land identified as being flood prone within Ballina Shire.

**Chapter 4- Residential & Tourist Development**

- Not applicable as the land is zoned RU1 Primary Production.

**Chapter 7 – Rural Living and Activity**

The development will comply with, or can be conditioned to comply with, the following applicable provisions of Section 3.1 of this Chapter:

Element A Design Principles for Dwellings

- The design of dwellings and associated buildings should be in keeping with the rural character of the locality. Traditional construction materials (i.e. timber, corrugated roofing or similar) and natural colours (grey, greens and browns) are encouraged.
- The immediate area has a mixture of different dwelling styles. Brick, Colorbond, timber and other materials are evident on lots in Hillcrest Drive.
- The proposed dwelling additions will not be out of place within the streetscape of Hillcrest Drive as there are many variations in building materials which are not strictly considered rural in character.

Element B Resited Dwellings  
Not applicable

Element C Temporary Residential Occupation of Land  
Not applicable

Element D Rural Worker's Dwellings  
Not applicable

Element E Expanded Dwellings  
Not applicable

Element F Dual Occupancies  
Not applicable

Element G Water Supply  
● The dwelling is currently serviced by town water.

3.2 Rural Subdivision – Not applicable to this proposal

3.3 Rural Tourist and Visitor Accommodation – Not applicable to this proposal

3.4 Agritourism– Not applicable to this proposal

3.5 Rural Industry - Not applicable to this proposal

3.6 Roadside Stalls - Not applicable to this proposal

3.7 Mining and Extractive Industry– Not applicable to this proposal

3.8 Building Lines and Setbacks  
● Complies with the front building line setback of 20 metres as it is 20.082m (excluding the porch).



- The proposed garage near the south-western boundary is setback 3.56m to 3.8m from the side boundary.
- The existing side setback near the north-eastern boundary is setback less than 10m being about 7.7m to the external wall of the bedroom.
- The minor encroachment will not adversely affect adjoining properties or the streetscape given that there is significant vegetation and landscaping that will obscure much of the additions

3.9 Roads, Vehicular Access and Parking

- The existing driveway will be retained.
- The existing driveway will be expanded near the existing internal driveway and proposed garage.
- The driveway does not exceed a grade of 25% as it is approximately 12.35%.

Parking

- The garage accommodates 2 vehicles and a boat space behind the building line.

3.10 Rural Function Centres– Not applicable to this proposal

4.1 Special Area Controls - South Ballina– Not applicable to this proposal

4.2 Special Area Controls - Fig Tree Hill– Not applicable to this proposal

**Chapter 8 – Special Uses** - chapter is not applicable to this development.

**Section 4.15(1)(a)(iia) – any Planning Agreement**

There is no planning agreement that a developer has offered to enter into for the property.

**Section 4.15(1)(a)(iv) – the provisions of the Regulations**

- The development involves demolition and conditions relating to asbestos removal and compliance with Australian Standard AS 2601 will be applied.
- It is considered necessary to require a fire safety upgrade or other BCA upgrade under the Regulation. Condition to be applied for the existing building to be upgraded for:
  - Smoke alarms

**Sections 4.15(1)(b) & (c) -The Likely Impacts of the Development and the Suitability of the Site for the Development**

- There are no likely issues obtaining access or fall to sewer junctions and stormwater discharge points.
- There are no likely unreasonable impacts on other properties with privacy, shadowing, noise, view loss, external lighting, surface water run off or glare.
- There are no likely impacts on adjoining Council owned reserves (including access onto reserves during or after construction).

**Section 4.15 (1)(d) – Consideration of submissions**

- No submissions have been received as the DA does not require notification.

**4.15(1)(e) – The Public Interest**

Where relevant, provide comment on any public interest issue including local, state and federal:

- Approval of the proposal is in Public Interest.

**Other Comments and Determination**

Approval is recommended by **Delegated Authority** with conditions appropriate to address those matters as identified above.

*Having inspected the site and assessed the application in terms of relevant matters for consideration within Section 4.15(1) of the EP & A Act 1979 and other pertinent concerns as detailed in the above sections of this report, it is recommended that the application be determined by:*

- **Granting of consent subject to conditions**

NB: This decision is made under delegated authority pursuant to the provisions of Section 378 of the Local Government Act, 1993.

**DECLARATIONS**

**Planning Consultant's declaration**

*I have no pecuniary interest or conflict of interest to disclose in relation to this application.*

**Panning Consultant's Name: Anthea Michailou**

**Date: 11.12.23**

**Assessment Officer's Declarations**

*I have no pecuniary interest or conflict of interest to disclose in relation to this application.*

*I have delegated authority to deal with this application including:*

- *the preparation of recommendations*
- *providing advice to any person*
- *making of the determination*

**Assessment Officer's Name: Jessica Noble**

**Date: 14 May 2024**

**Peer Review Officer's Declarations**

*I have no pecuniary interest or conflict of interest to disclose in relation to this application.*

*I have delegated authority to deal with this application including:*

- *the preparation of recommendations*
- *providing advice to any person*
- *making of the determination*

**Peer Review Officer's Name: David Tyler**

**Date: 13 June 2024**

**ADMINISTRATION STAFF INSTRUCTIONS****BLEP 2012****Exceptions to the Development Standards Summary**

4.6 Does the application require any <b>Exceptions to the Development Standards?</b> (If yes provide details below)	Yes Variation to the Building Height standard
Category of Development	1. Residential - Alterations and Additions
Environmental Planning Instrument	Ballina Local Environmental Plan 2012
Zoning of land under the BLEP 2012	RU1 Primary Production
Development Standard to be varied	Building Height
Justification of the variation	The proposed development is consistent with the intent of Clause 4.3 of the LEP which is to minimise adverse amenity impacts on neighbouring residential properties with a design that responds to the site's topography.
Extent of the variation	19%
Concurring Authority	Ballina Shire Council
Date DA determined	27 June 2024

**Prepare Section 68 - 138 Approvals for work as below:**

- Install or Alter OSSM
- Draw water from a Council water supply
- Install, alter or disconnect a water meter
- Carry out sewerage work
- Carry out stormwater drainage work
- Connect private property to Council sewerage system
- Discharge of Trade Waste to sewer
- Approval under Section 138 of the Roads Act

**Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

**GENERAL CONDITIONS**

<b>Conditions</b>	
<b>1.</b>	<p><b>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</b></p> <ol style="list-style-type: none"> <li>1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.</li> <li>2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.</li> <li>3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.</li> <li>4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.</li> <li>5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.</li> <li>6. This section does not apply—                         <ol style="list-style-type: none"> <li>a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or</li> <li>b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.</li> </ol> </li> </ol> <p><b>Condition reason:</b> Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
<b>2.</b>	<p><b>Erection of signs</b></p> <ol style="list-style-type: none"> <li>1. This section applies to a development consent for development involving building work, subdivision work or demolition work.</li> <li>2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—                         <ol style="list-style-type: none"> <li>a. showing the name, address and telephone number of the principal certifier for the work, and</li> <li>b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and</li> <li>c. stating that unauthorised entry to the work site is prohibited.</li> </ol> </li> <li>3. The sign must be—</li> </ol>

	<ul style="list-style-type: none"> <li>a. maintained while the building work, subdivision work or demolition work is being carried out, and</li> <li>b. removed when the work has been completed.</li> </ul> <p>4. This section does not apply in relation to—</p> <ul style="list-style-type: none"> <li>a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or</li> <li>b. Crown building work certified to comply with the <i>Building Code of Australia</i> under the Act, Part 6.</li> </ul>
	<p><b>Condition reason:</b> Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
<b>3.</b>	<p><b>Notification of Home Building Act 1989 requirements</b></p> <ul style="list-style-type: none"> <li>1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.</li> <li>2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— <ul style="list-style-type: none"> <li>a. for work that requires a principal contractor to be appointed— <ul style="list-style-type: none"> <li>i. the name and licence number of the principal contractor, and</li> <li>ii. the name of the insurer of the work under the Home Building Act 1989, Part 6,</li> </ul> </li> <li>b. for work to be carried out by an owner-builder— <ul style="list-style-type: none"> <li>i. the name of the owner-builder, and</li> <li>ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.</li> </ul> </li> </ul> </li> <li>3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.</li> </ul> <p>This section does not apply in relation to Crown building work certified to comply with the <i>Building Code of Australia</i> under the Act, Part 6.</p> <p><b>Condition reason:</b> Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
<b>4.</b>	<p><b>Shoring and adequacy of adjoining property</b></p> <ul style="list-style-type: none"> <li>1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.</li> <li>2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense— <ul style="list-style-type: none"> <li>a. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and</li> <li>b. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.</li> </ul> </li> <li>3. This section does not apply if— <ul style="list-style-type: none"> <li>a. the person having the benefit of the development consent owns the adjoining land, or</li> </ul> </li> </ul>

	b. the owner of the adjoining land gives written consent to the condition not applying.																																																																																													
	<b>Condition reason:</b> Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.																																																																																													
<b>5.</b>	<b>Fulfilment of BASIX commitments</b>																																																																																													
	It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—																																																																																													
	<ol style="list-style-type: none"> <li>1. BASIX development,</li> <li>2. BASIX optional development, if the development application was accompanied by a BASIX certificate.</li> </ol>																																																																																													
	<b>Condition reason:</b> Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.																																																																																													
<b>6.</b>	<b>Approved plans and supporting documentation</b>																																																																																													
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.																																																																																													
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A.06.2	A	Driveway Sections S-07	Dotch Designs	13/10/2023
A.07.1	A	Window & Door Schedule	Dotch Designs	13/10/2023
A.08.1	A	Existing Ground Floor Plan overlay with Proposed Plan	Dotch Designs	13/10/2023
A.08.2	A	Existing DA First Floor Plan overlay with Proposed Plan	Dotch Designs	13/10/2023
A.08.3	A	Existing DA South & West Elevations overlay with Proposed	Dotch Designs	13/10/2023
Approved documents				
Document title	Version number	Prepared by	Date of document	
BASIX	A506161	Partners Energy Management	7 September 2023	
<p>In the event of any inconsistency between the approved plans and documents, the approved plans prevail.</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p><b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>				
<b>7.</b>	<b>Garage floor level and driveway drainage</b>			
	The floor level of any proposed garage is to be set at a level so that the maximum gradient of the driveway from the alignment to the garage is 1:4 (25%) in accordance with AS 2890.1. Where the driveway grades toward a garage, surface drainage must be provided at the garage entry to prevent the ingress of stormwater.			
	<b>Condition reason:</b> To ensure vehicular access standards are met.			
<b>8.</b>	<b>Mosquito management</b>			
	In accordance with Part 3.6 - Mosquito Management in Chapter 2 of the Ballina Shire Development Control Plan 2012, all windows, external doors and other openings must be provided with effective insect screening. The inlet and outlet of all rainwater tanks must also be screened with durable materials to prevent mosquito entry.			
	<b>Condition reason:</b> To protect public health.			
<b>9.</b>	<b>Stabilisation of earthworks</b>			
	All excavated and filled areas are to be stabilised by battering or construction of an approved retaining wall. Batters are to have a maximum slope of 1:1 and be re-vegetated on completion. This consent does not authorise the construction of any retaining walls other than if depicted on the approved plans.			

	<b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
<b>10.</b>	<b>Garage floor level and driveway drainage</b> The floor level of any proposed garage is to be set at a level so that the maximum gradient of the driveway from the alignment to the garage is 1:4 (25%) in accordance with AS 2890.1. Where the driveway grades toward a garage, surface drainage must be provided at the garage entry to prevent the ingress of stormwater.
	<b>Condition reason:</b> To ensure vehicular access standards are met.
<b>11.</b>	<b>Building Code of Australia Upgrade</b> The following parts of existing building are to be upgraded to comply with the Building Code of Australia 2022 - Volume 2 and Australian Building Codes Board Housing Provision 2022 as below: a) Smoke Alarms b) Handrails and Balustrades
	<b>Condition reason:</b> To provide a level of safety for the occupants of the building



**DURING DEMOLITION WORK**

<b>Conditions</b>	
<b>12.</b>	<p><b>Asbestos management during demolition</b></p> <p>Where building or demolition work involves disturbance, removal or repair of friable or non friable (bonded) asbestos the following applies:</p> <ul style="list-style-type: none"> <li>a) Work involving asbestos removal work (inclusive of repair or disturbance) that involves any amount of friable asbestos or non-friable asbestos (formerly known as bonded asbestos) that exceeds 10 square metres, must be undertaken only by a person who carries on a business of such removal work in accordance with the appropriate licence under Part 8.10 Division 1 of the Work Health and Safety Regulation 2017;</li> <li>b) In accordance with clause 79 of the Protection of the Environment Operations (Waste) Regulation 2014 information relating to the movement of any load in NSW of more than 10m<sup>2</sup> of asbestos sheeting, or 100 kilograms of asbestos waste must be provided to the EPA. To fulfil these requirements waste transporters must use WasteLocate. Receipts for disposal shall be retained as evidence of proper disposal.</li> </ul>
<b>13.</b>	<p><b>Hours for demolition work</b></p> <p>For the purposes of residential amenity, any demolition work involving the use of noisy mechanical plant and noisy equipment must only be carried out within the following hours:</p> <ul style="list-style-type: none"> <li>• Monday to Friday: 7.00am to 6.00pm</li> <li>• Saturdays: 8.00am to 1.00pm</li> <li>• Sundays &amp; Public Holidays: No noisy work at all</li> </ul> <p><b>Condition reason:</b> To protect public amenity.</p>
<b>14.</b>	<p><b>SafeWork Guidelines</b></p> <p>All demolition works are to be carried out in accordance with the SafeWork NSW Guidelines, Australian Standard 2601:2001 "The demolition of structures", the NSW Work Health and Safety Act 2011 and Regulations 2017 and guidelines for the removal of asbestos and lead based products. The sewer, water and electrical services from the buildings are to be disconnected by licensed tradespersons.</p> <p><b>Condition reason:</b> To protect public health.</p>

**BUILDING WORK  
BEFORE ISSUE OF A CONSTRUCTION  
CERTIFICATE**

<b>Conditions</b>	
<b>15.</b>	<p><b>On-site Sewage Management System approval to be obtained</b></p> <p>Before issue of a Construction Certificate, an Approval to Install, Construct or Alter an Onsite Sewerage Management System or Systems is to be obtained. Approval will require a Section 68 application to be made via the NSW Planning Portal and include a report prepared by an appropriately qualified person and payment of the application, inspection and associated fees.</p> <p><b>Condition reason:</b> To ensure the wastewater is able to be disposed in a safe and sustainable manner.</p>
<b>16.</b>	<p><b>Section 68 Approval</b></p> <p>Before issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for the proposed plumbing and drainage works. Approval will require a Section 68 application to be made via the NSW Planning Portal and include all relevant details and payment of the application, inspection and associated fees.</p> <p><b>Condition reason:</b> To ensure the building meets the required standards for health and amenity.</p>
<b>17.</b>	<p><b>Storm water disposal</b></p> <p>Prior to issue of a Construction Certificate, the applicant or builder is to locate the stormwater disposal connection point and confirm to the Registered Certifier that is to issue the Construction Certificate that all roof stormwater and surface water disposal systems are able to connect to this point with grades to comply with AS 3500.3.</p> <p>In the event that compliant grades cannot be achieved a Hydraulic Consultant is to design a suitable system and certify it complies with AS 3500.3. The design and certification is to be submitted to the Registered Certifier prior to issue of the Construction Certificate.</p> <p><b>Condition reason:</b> To protect the environment and Council's infrastructure.</p>

**BEFORE BUILDING WORK COMMENCES**

<b>Conditions</b>	
<b>18.</b>	<p><b>Issue of Construction Certificate</b></p> <p>The carrying of building works under the terms and conditions of this Development Consent must not be commenced until:</p> <p>(a) Detailed plans and specifications of the building have been endorsed with a Construction Certificate by:</p> <p style="margin-left: 20px;">(i) A Council Registered Certifier; or</p> <p style="margin-left: 20px;">(ii) A Privately Registered Certifier; and</p> <p>(b) A Principal Certifier has been appointed. and,</p> <p>(c) If Council is not the Principal Certifier, the person having the benefit of the development consent has notified the Council of the appointment of the Principal Certifier and</p> <p>(d) The person having the benefit of the development consent has given at least two (2) days notice to the Council of the person's intention to commence work.</p>

	<b>Condition reason:</b> To ensure the building works is authorised by the issue a Construction Certificate and a Principal Certifier is appointed.
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**DURING BUILDING WORK**

<b>Conditions</b>	
<b>19.</b>	<p><b>Hours for building work</b></p> <p>For the purposes of residential amenity, any building work involving the use of noisy mechanical plant and noisy equipment must only be carried out within the following hours:</p> <ul style="list-style-type: none"> <li>• Monday to Friday: 7.00am to 6.00pm</li> <li>• Saturdays: 8.00am to 1.00pm</li> <li>• Sundays &amp; Public Holidays: No noisy work at all</li> </ul> <p><b>Condition reason:</b> To protect public amenity.</p>
<b>20.</b>	<p><b>Waste Management</b></p> <p>All demolition, construction or the like waste is to be transported and disposed of to an approved waste facility (and not stored or stockpiled on the site). If alternative disposal methods are sought, the prior written approval of Council must be obtained. Waste is not to be stored or stockpiles on the site and must be disposed of to an approved waste facility.</p> <p><b>Condition reason:</b> To protect public health and the environment.</p>
<b>21.</b>	<p><b>Site toilet</b></p> <p>For the purposes of health and amenity, a temporary builder's toilet is to be provided on site at commencement of work. Such facility is to be either connected to Council's sewer or a suitable approved portable chemical closet is to be provided.</p> <p><b>Condition reason:</b> To protect the environment and Council's infrastructure.</p>
<b>22.</b>	<p><b>Pollution Prevention</b></p> <p>To prevent the pollution of waterways, the applicant/builder is to ensure adequate sediment and erosion control measures are in place at the commencement of works. These are to be maintained during the construction of the project until the site has been stabilised by permanent vegetation cover or a hard surface. This is to include:</p> <ul style="list-style-type: none"> <li>• An all weather access way is to be provided on site that extends from the kerb to the building construction site. All construction vehicles are to enter and exit the site via the access way so as to minimise the movement of soil onto the roadway. Roadways drains and gutters must be regularly swept, cleaned and maintained free of soils and sediments at all times.</li> <li>• A suitable waste container for holding lightweight building materials is to be provided during the course of the building work. Building waste must be regularly cleaned up and placed in the waste container.</li> <li>• Sediment and erosion control measures are to be installed and maintained throughout the construction process and beyond by the owner, where necessary to prevent soil erosion and the transportation of sediment material into any roadway, drainage systems, watercourses and adjoining land.</li> <li>• Service trenches being backfilled as soon as practical.</li> </ul>

	<ul style="list-style-type: none"> <li>Downpipes being connected as soon as practical or the use of temporary downpipes.</li> <li>Buffer vegetation zones being retained on sites that adjoin roadways, drainage systems and or watercourses.</li> <li>Suitable covering and protection must be provided to all stockpiles and exposed soils to ensure that no material is removed from the site by wind.</li> </ul>
	<b>Condition reason:</b> To protect the environment.
<b>23.</b>	<b>No occupation without Occupation Certificate</b>
	Any new part of the building, is not to be occupied without the issue of an Occupation Certificate.
	<b>Condition reason:</b> To ensure the building safe to occupy.

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

<b>Conditions</b>	
<b>24.</b>	<b>OSSM – Approval to Operate</b>
	Prior to the occupation of the building and the issue of an Occupation Certificate, an Approval to Operate the On-site Sewage Management (OSSM) System is to be obtained from Council.
	<b>Condition reason:</b> To ensure the wastewater is able to be disposed in a safe and sustainable manner.

**OCCUPATION AND ONGOING USE**

<b>Conditions</b>	
<b>25.</b>	<b>Surface water drainage</b>
	The site is to be maintained to ensure surface stormwaters do not affect the building by diverting surface stormwater around the building rather than toward the building. Landscaping, turfing and pathway works should not obstruct surface-water from flowing around the building during high rainfall events.
	<b>Condition reason:</b> To protect the building from the ingress of water.

**APPENDIX 1 – Clause 4.6 Variation to Clause 4.3 Height of Buildings.**

This submission seeks a variation to Clause 4.3 of the Ballina LEP 2012 under the provisions of 4.6 of the Ballina LEP 2012.

Clause 4.3 provides a 8.5m height limit for development on the subject site. The proposed dwelling complies with the height control with the exception of the second storey on the south-eastern facade of the house which has an overall height of 11.12m due to the steeply sloping nature of the site.

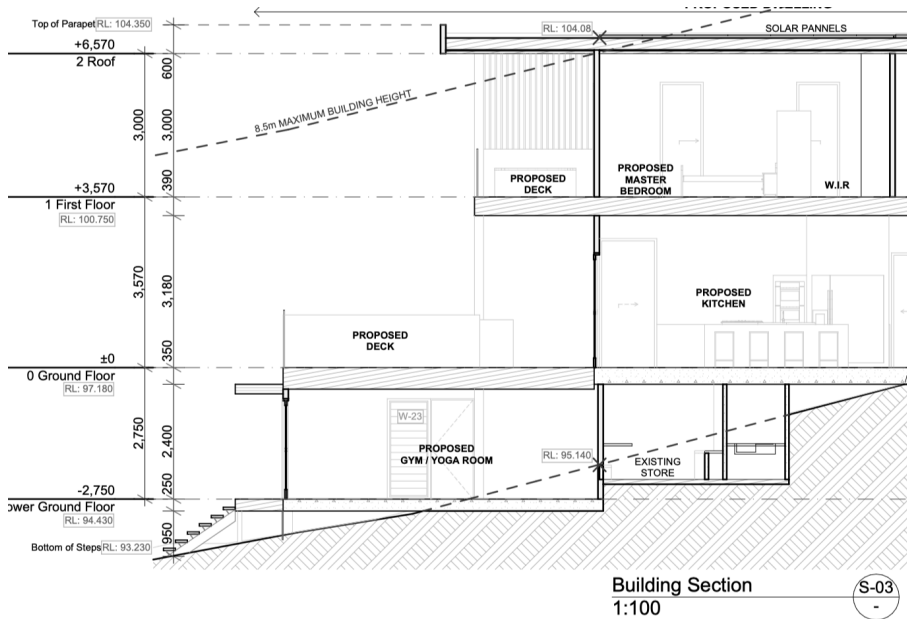


Figure 1 – Illustrating the extent of the dwelling breaching the building height limit

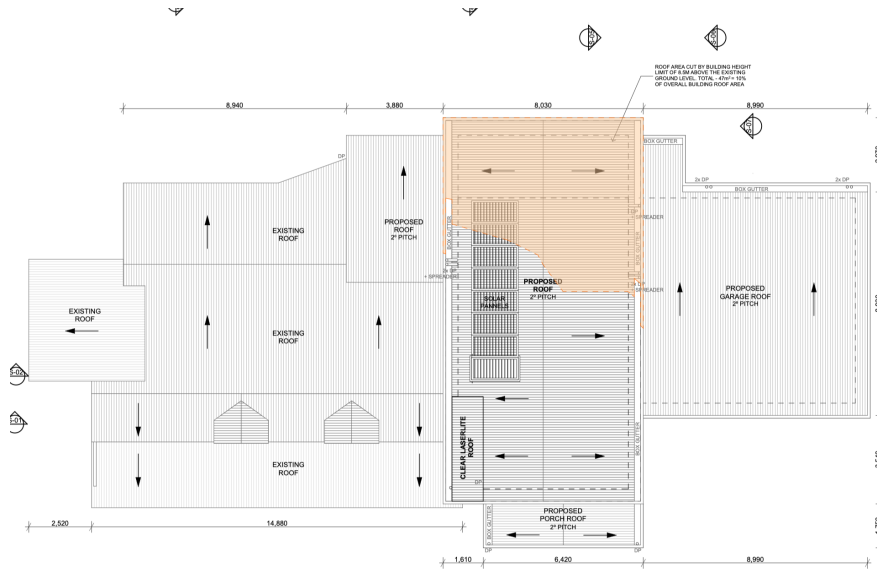


Figure 2 – Demonstrating the extent of the building height breach

Clause 4.6 of the instrument enables the development standard to be varied. The following considerations have been made to the proposed variation in respect of Clause 4.6.

**4.6 Exceptions to development standards**

(1) *The objectives of this clause are as follows:*

- (a) *To provide an appropriate degree of flexibility in applying certain development standards to particular development*
- (b) *To achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

**Comment:**

The first consideration in assessing the exception to the development standard is to demonstrate that the objectives of the building height standard can be achieved notwithstanding noncompliance. The objectives of Clause 4.3 Building Height are outlined below;

(1) *The objectives of this clause are as follows:*

- (a) *to achieve building design that does not exceed a specified maximum height from its existing ground level to finished roof or parapet,*

In this instance, a variation is requested as the overall height of the building exceeds the specified maximum height of 8.5m. All other objectives of this clause can be met.

*(b) to ensure the height of buildings complements the streetscape and character of the area in which the buildings are located,*

The proposed dwelling compliments the streetscape and character of the area in that it is consistent in design to other dwellings along the southern side of Hillcrest Drive. It appears that a precedent has been set along here where dwellings respond to the slope and accumulatively appear to have a maximized bulk and scale. As the southern side of Hillcrest Drive slopes towards the south, from the street, dwellings are viewed from the high side, therefore dwellings appear to be predominantly single storey.

*(c) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development.*

The proposed height variation is situated in a location which will not result in a demonstrable impact to adjoining properties, with regard to;

- Visual Impact – The height variation subject to this application only impacts a small section of the second storey addition on the south eastern facade. This section forms the rear of the house and is therefore not visible from Hillcrest Drive or Tintenbar Road, which forms the southern boundary of the site. Additionally, there is significant vegetation located in the gully, where the slope significantly drops resulting in the building height breach. Accordingly, this forms a visual buffer, whereby the building height will not appear inconsistent with the rest of the house or adjoining properties.
- Disruption of Views – There are no significant views that are affected by the proposal.
- Loss of Solar Access – Given the setbacks to adjoining properties, the proposal will result in no overshadowing or loss of solar access.

The proposed development has been architecturally designed to provide a good amenity for future occupants. The proposal also respects neighboring developments and is compatible with the development pattern of the locality with regards to height a scale.

The height variation is substantially attributed to the falling site topography. As a consequence, the height of the building varies from a full compliance to an “at worse” 2.7m variation for the eave and small portion of the building of the second storey master bedroom.

The protrusion will have a negligible impact on the building in terms of bulk and scale as this section of the building will not be directly visible from Hillcrest Drive or Tintenbar Road and will be well hidden by the existing vegetation on the site.

The variation to the height does not result in any significant adverse impacts on adjoining properties (including shadowing) nor does it compromise or otherwise restrict the future orderly development of the neighboring land.

No adverse planning consequences (shadowing, privacy, visual impact, urban design/streetscape, neighborhood character) arise from the variation due to its setback from the street and from adjoining properties. The variation is therefore considered to have positive planning outcomes in terms of the residential amenity being a modern architecturally designed house.

Accordingly, the proposed variation is considered to be consistent with the objectives of this clause.

- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

**Comment:**

The height of the development standard is not expressly excluded from the operation of Clause 4.6.

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

*(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.*

*(b) That there are sufficient environmental planning grounds to justify contravening the development standard.*

**Comment:**

For reasons previously explained, strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the site.

The variation enables the construction of a building that has responded to the sites topography and is appropriate to its location, surrounding development, environmental characteristics of the land and the design of the existing buildings in the locality.

Given the above it is reasonably concluded that 'there are sufficient environmental planning grounds to justify contravening the development standard' given the circumstances of the site and the design of the proposed development.



(4) *Development consent must not be granted for development that contravenes a development standard unless:*

*(a) The consent authority is satisfied that:*

*(i) The applicant's written request has adequately addressed the matters required to be demonstrated by Subclause (3)*

*(ii) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out*

*(b) The concurrence of the Secretary has been obtained.*

**Comment:**

The matter required to be demonstrated by Subclause (3) have been addressed above.

The proposed development will be in the interest of the public as the proposed dwelling is consistent with the zone objectives and complies with all other LEP and DCP requirements.

The objectives of Clause 4.3 Height of Buildings are as follows;

*(1) The objectives of this clause are as follows:*

*(a) to achieve building design that does not exceed a specified maximum height from its existing ground level to finished roof or parapet,*

*(b) to ensure the height of buildings complements the streetscape and character of the area in which the buildings are located,*

*(c) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development.*

The proposal is consistent with the objectives of this clause given that height of the building is compatible with the character of the locality, particular along the high side of Hillcrest Drive where the street frontages are dominated by dwellings situated on steep sloping sites, where the overall height is not visible.

There is no adverse loss to views, privacy or solar access arising from the proposed variation.

*5) In deciding whether to grant concurrence, the Secretary must consider:*

*(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*

*(b) the public benefit of maintaining the development standard, and*

*(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

As previously noted, further concurrence should not be required.

The variation does not raise any matter of significance for State or regional environmental planning.

There is no public benefit that would be achieved by maintaining the development standard in this instance.

6) *Development consent must not be granted under this clause for a subdivision of land in Zone E2 Environmental Conservation, Zone RU6 Transition or Zone E3 Environmental Management if:*

*(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*

*(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

**Comment:**

The site is located within a rural zone. The provisions of this subclause are not directly relevant to this application.

(7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*

**Comment:**

It is assumed that the consent authority will keep the required records.

(8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*

*(a) a development standard for complying development,*

*(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*

*(c) clause 5.4.*

**Comment:**

No adverse matters arise in respect of the above considerations.

In view of the above, the proposed variation to the height under the provisions of clause 4.6 is justified in this instance. Council is requested to vary the height control as proposed by implementing the clause 4.6 provisions.

OFFICIAL

**The Hon Rose Jackson MLC**

Minister for Water, Minister for Housing,  
Minister for Homelessness  
Minister for Mental Health, Minister for Youth,  
Minister for the North Coast



Ref: SGM24/3709

Mr Paul Hickey  
General Manager  
Ballina Shire Council  
40 Cherry Street,  
BALLINA NSW 2478

By email: [Paul.Hickey@ballina.nsw.gov.au](mailto:Paul.Hickey@ballina.nsw.gov.au)

**78 Moon Street, Ballina NSW 2478**

Dear Mr Hickey *Paul*

I hope this letter finds you well. As part of my portfolio, I am responsible for overseeing the Aboriginal Housing Office (AHO). The AHO delivers social housing homes to Aboriginal people in NSW, and our vision is to ensure every Aboriginal person in NSW has equal access to and choice in affordable housing.

The AHO has recently acquired a development site at 78 Moon Street, Ballina NSW 2478, with development approval to deliver nine (9) x 3-bedroom self-care seniors living units. These homes are scheduled for delivery by June 2025 as part of our Flood Recovery Program. The program aims to rebuild homes destroyed by the 2022 floods in the Northern Rivers Region.

During the acquisition process, preliminary discussions were held with Ballina Council to determine the estimated cost of Developer Contribution Fees, which is \$271,752.39.

As a social housing provider, we presume a significant reduction in fees for developing seniors housing in accordance with the 2007 Ministerial Direction.

The AHO has been advised that a new DA will need to be submitted to Council. This will cause significant delays to the delivery of our program and these new homes to the community.

I am writing to request a deduction to the developer contribution fees and to progress issuing the Construction Certificate by Ballina Shire Council to enable the AHO to commence the delivery of these units and to meet program targets.

OFFICIAL

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001

02 7225 6190  
[nsw.gov.au/ministerjackson](http://nsw.gov.au/ministerjackson)

1

OFFICIAL

Should you require any further information or need further clarification, please do not hesitate to contact Ms Marri Walker, Senior Project Officer via email [marri.walker@aho.nsw.gov.au](mailto:marri.walker@aho.nsw.gov.au) or M 0439 736 085.

Yours sincerely

**Rose Jackson MLC**

Minister for Water, Minister for Housing, Minister for Homelessness  
Minister for Mental Health, Minister for Youth, Minister for the North Coast

Thank Paul -  
this is very important  
to me. I am happy to  
call shown help. R  
would help. R

Date: 24.5.24

OFFICIAL

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001

02 7225 6190  
[nsw.gov.au/ministerjackson](http://nsw.gov.au/ministerjackson)

2

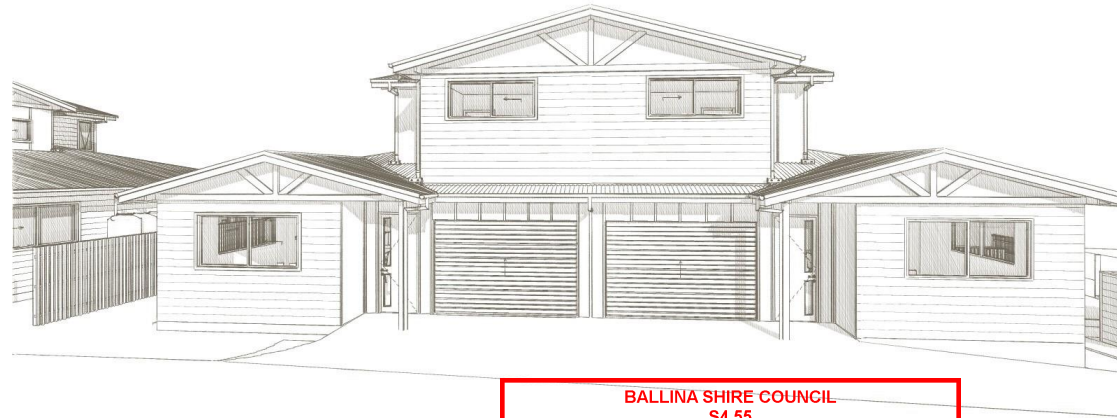
client:

**Moon St Partnership**

project

**Small Lot Development**

**78 Moon St,  
Ballina, NSW**

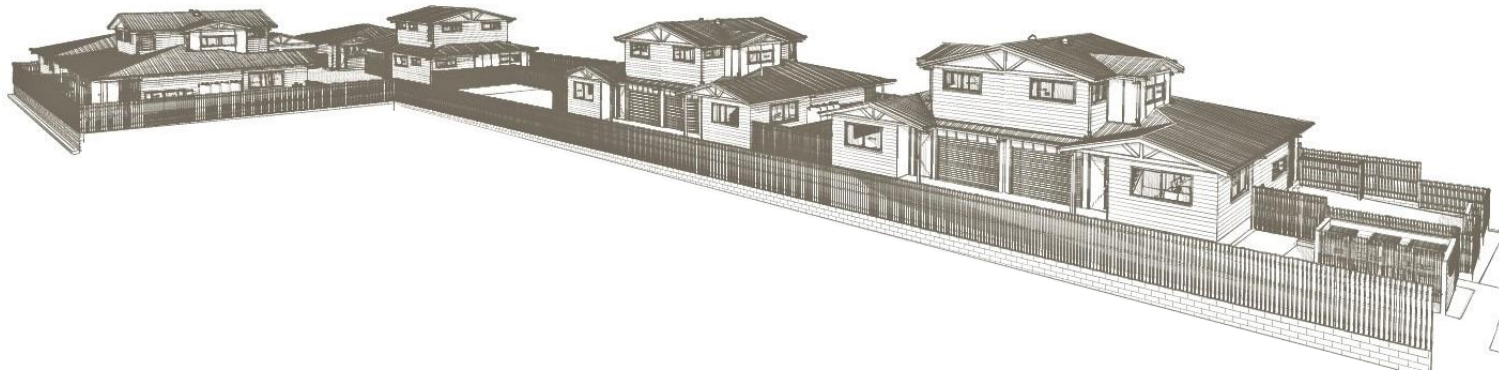


**BALLINA SHIRE COUNCIL**  
**S4.55**

**Environmental Planning & Assessment Act 1979**

**S.4.55 Modification to Consent No: 2017/643**

**Determination date: 24/03/2022**



Page No: Layout Name

COVER SHEET
EXISTING SURVEY
LANDSCAPING PLAN + FRONT FENCE ELEVATION
MATERIALS & COLOURS
PROPOSED STRATA SUBDIVISION + BIN AREA
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02 LOWER FLOOR OVERALL PLAN
03 FIRST FLOOR OVERALL PLAN
U 1.2.1 FLOOR PLANS - UNITS 1 & 2
U 1.2.2 ELEVATIONS - UNITS 1 & 2
U 1.2.3 ROOF PLAN + SECTIONS - UNIT 1 & 2
U 1.2.4 SLAB PLAN / JOIST PLAN - UNITS 1 & 2
U 1.2.5 FLOOR COVERINGS - UNITS 1 & 2
U 1.2.6 DOOR & WINDOW LIST - UNIT 1 & 2
U 1.2.7 ELECTRICAL PLANS - UNITS 1 & 2
U 1.2.8 INTERIOR ELEVATIONS 01 - UNIT 1 & 2
U 1.2.9 INTERIOR ELEVATIONS 02 - UNIT 1 & 2
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U 2.4.8 INTERIOR ELEVATIONS 01 - UNIT 3 & 4
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U 5.1 FLOOR PLANS - UNIT 5
U 5.2 ELEVATIONS - UNIT 5
U 5.3 ROOF PLAN + SECTIONS - UNIT 5
U 5.4 SLAB PLAN / JOIST PLAN - UNIT 5
U 5.5 FLOOR COVERINGS - UNIT 5
U 5.6 DOOR & WINDOW LIST - UNIT 5
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U 5.8 INTERIOR ELEVATIONS 01 - UNIT 5
U 5.9 INTERIOR ELEVATIONS 02 - UNIT 5
U 6.1 FLOOR PLAN & ROOF PLAN - UNIT 6
U 6.2 ELEVATIONS - UNIT 6
U 6.3 SLAB PLAN & FLOOR COVERINGS - UNIT 6
U 6.4 SECTIONS & ELECTRICAL PLAN - UNIT 6
U 6.5 DOOR & WINDOW LIST - UNIT 6
U 6.6 INTERIOR ELEVATIONS 01 - UNIT 6
U 6.7 INTERIOR ELEVATIONS 02 - UNIT 6
U 7.1 FLOOR PLAN + ROOF PLAN - UNIT 7
U 7.2 ELEVATIONS - UNIT 7
U 7.3 SLAB PLAN & FLOOR COVERINGS - UNIT 7
U 7.4 SECTIONS & ELECTRICAL PLAN - UNIT 7
U 7.5 DOOR & WINDOW LIST - UNIT 7
U 7.6 INTERIOR ELEVATIONS 01 - UNIT 7
U 7.7 INTERIOR ELEVATIONS 02 - UNIT 7
U 8.1 FLOOR PLANS - UNITS 8 & 9
U 8.2 ELEVATIONS - UNITS 8 & 9
U 8.3 ROOF PLAN + SECTIONS - UNITS 8 & 9
U 8.4 SLAB PLAN / JOIST PLAN - UNITS 8 & 9
U 8.5 FLOOR COVERINGS - UNITS 8 & 9
U 8.6 DOOR & WINDOW LIST - UNIT 8 & 9
U 8.7 ELECTRICAL PLANS - UNITS 8 & 9
U 8.8 INTERIOR ELEVATIONS 01 - UNIT 8 & 9
U 8.9 INTERIOR ELEVATIONS 02 - UNIT 8 & 9

STORY

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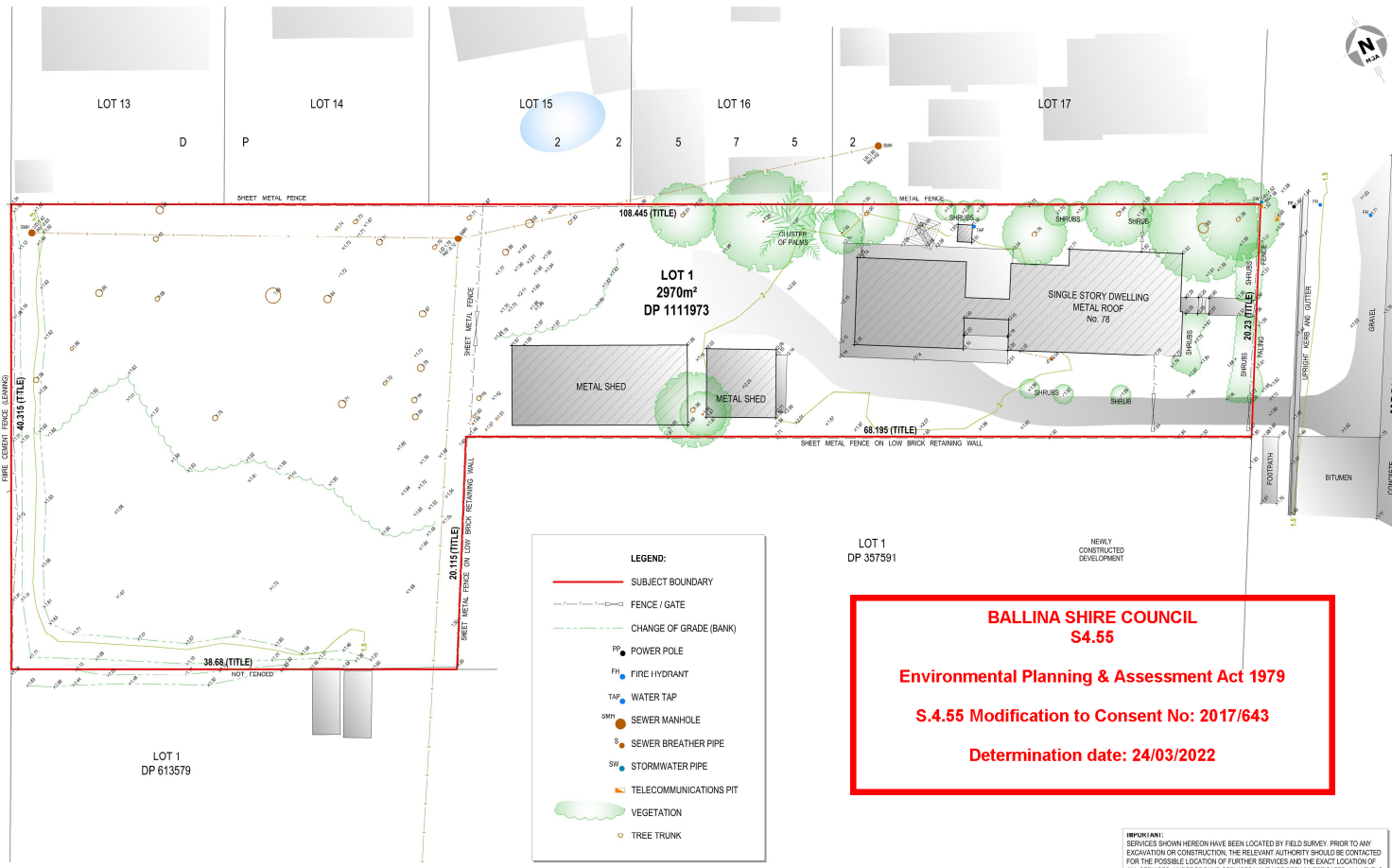
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B	04/10/20	PRELIM LAYOUT UNIT 1 & 2	002	T	21/05/21	REVISIONS	001
C	05/06/20	PRELIM OVERALL LAYOUT	003				
D	02/06/20	PRELIM DRAWINGS	004				
E	04/06/20	BY CONSTRUCTION REVISIONS 1	005				
F	20/06/20	BY DRAWINGS REVISIONS 2	006				

client	project number	drawing number	drawing print date
Moon St Partnership	20008		22/09/2021
Small Lot Development			
78 Moon St, Ballina, NSW			

author	check	drawing name
SR	SR	COVER SHEET



**NRS**  
 NORTHERN RIVERS SURVEYING PTY LTD  
 100/100 TAYLOR ROAD BALLINA NSW 2478  
 PT 500 200  
 AUSTRALIAN NEW ZEALAND  
 SURVEYING SOCIETY  
 P-PT 2 8251 688  
 F-PT 2 8251 642  
 E-192 NRS@nrs.surveying.com.au  
 www.nrsurveying.com

SCALE: 1:300 (A3)  
 SURVEYOR: BJT  
 DRAWN: RSCAD  
 DATE: 23 JUL 14  
 CAD REF: 14026-01

CONTOURS: 0.5m INTERVAL  
 DATUM: AHD  
 ORIGIN: PM 27071  
 RL 1.745

CLIENT: Mr B. SMITH  
 PROJECT: PROPOSED DEVELOPMENT  
 LG: BALLINA  
 SOURCE:

**PLAN SHOWING DETAIL AND CONTOUR SURVEY OVER LOT 1 IN DP111973**  
 78 MOON STREET, BALLINA

(THIS PLAN MAY NOT BE THE LATEST ISSUE. • ISSUE: 8

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C	25/03/20	PRELIM OVERALL LAYOUT	SR				
D	02/06/20	PRELIM DRAWINGS	AP				
E	05/09/20	W/ DRAWING REVISIONS 1	AP				
F	24/09/20	W/ DRAWING REVISIONS 2	AP				

client	project number	drawing number	drawing print date
Moon St Partnership	20008		22/09/2021

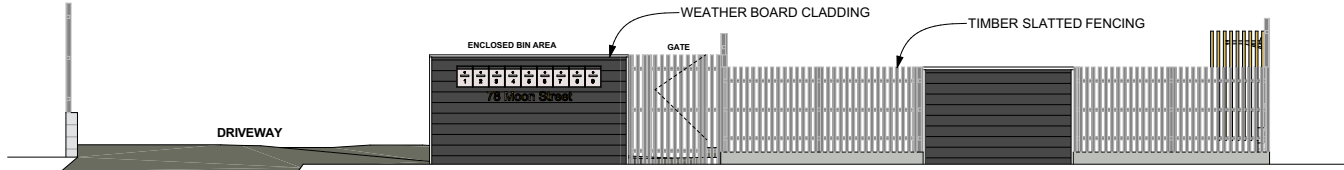
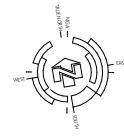
  

scale	issue	drawing name
	H	EXISTING SURVEY

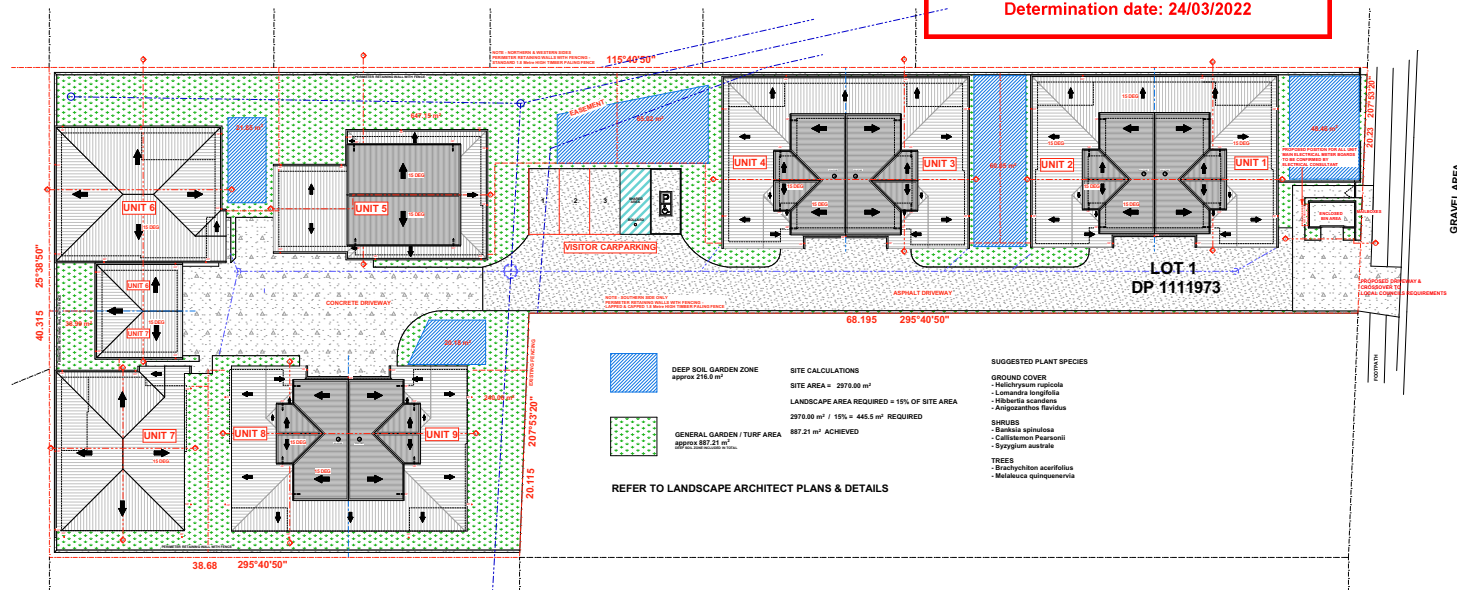
drawn	checked
SR	Sam Ray

WORKING DRAWINGS



FRONT FENCE ELEVATION

**BALLINA SHIRE COUNCIL**  
**S4.55**  
 Environmental Planning & Assessment Act 1979  
 S.4.55 Modification to Consent No: 2017/643  
 Determination date: 24/03/2022



**DEEP SOIL GARDEN ZONE**  
 approx 216.0 m<sup>2</sup>

**GENERAL GARDEN / TURF AREA**  
 approx 887.21 m<sup>2</sup>

**SITE CALCULATIONS**  
 SITE AREA = 2970.00 m<sup>2</sup>  
 LANDSCAPE AREA REQUIRED = 15% OF SITE AREA  
 2970.00 m<sup>2</sup> / 15% = 445.5 m<sup>2</sup> REQUIRED  
 887.21 m<sup>2</sup> ACHIEVED

**SUGGESTED PLANT SPECIES**  
**GROUND COVER**  
 - *Habitica pumila*  
 - *Lemnandra longifolia*  
 - *Hibbertia scandens*  
 - *Amigodanthes flavidus*  
**SHRUBS**  
 - *Banksia spirulosa*  
 - *Callistemon Pauciflorus*  
 - *Syzygium australe*  
**TREES**  
 - *Banksia integrifolia*  
 - *Malacca quinquevallis*

REFER TO LANDSCAPE ARCHITECT PLANS & DETAILS



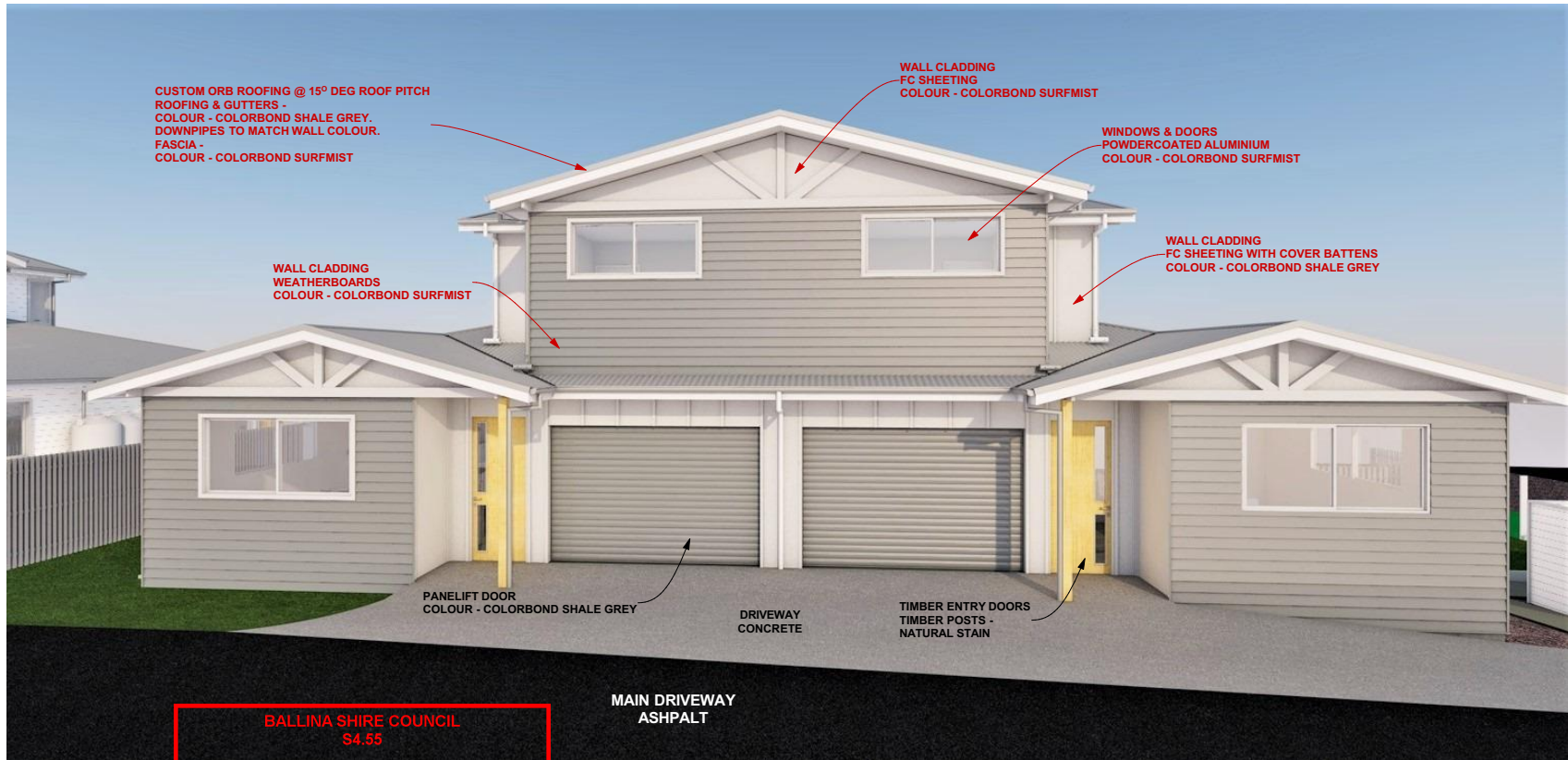
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C	02/06/21	FINAL GENERAL LAYOUT	SR						
D	02/06/21	FINAL DIMENSIONS	SR						
E	02/06/21	BY DIMENSIONS REVISIONS 1	SR						
F	20/06/21	BY DIMENSIONS REVISIONS 2	SR						

client	project number	drawing number	drawing print date
Moon St Partnership	20008		22/09/2021
Small Lot Development			
78 Moon St			
Ballina, NSW			

Scale: 1:250 on A2  
 Drawing name: LANDSCAPING PLAN + FRONT FENCE ELEVATION  
 Drawn: SR  
 Checked: Sam Ray





**BALLINA SHIRE COUNCIL**  
S4.55  
**Environmental Planning & Assessment Act 1979**  
S.4.55 Modification to Consent No: 2017/643  
Determination date: 24/03/2022

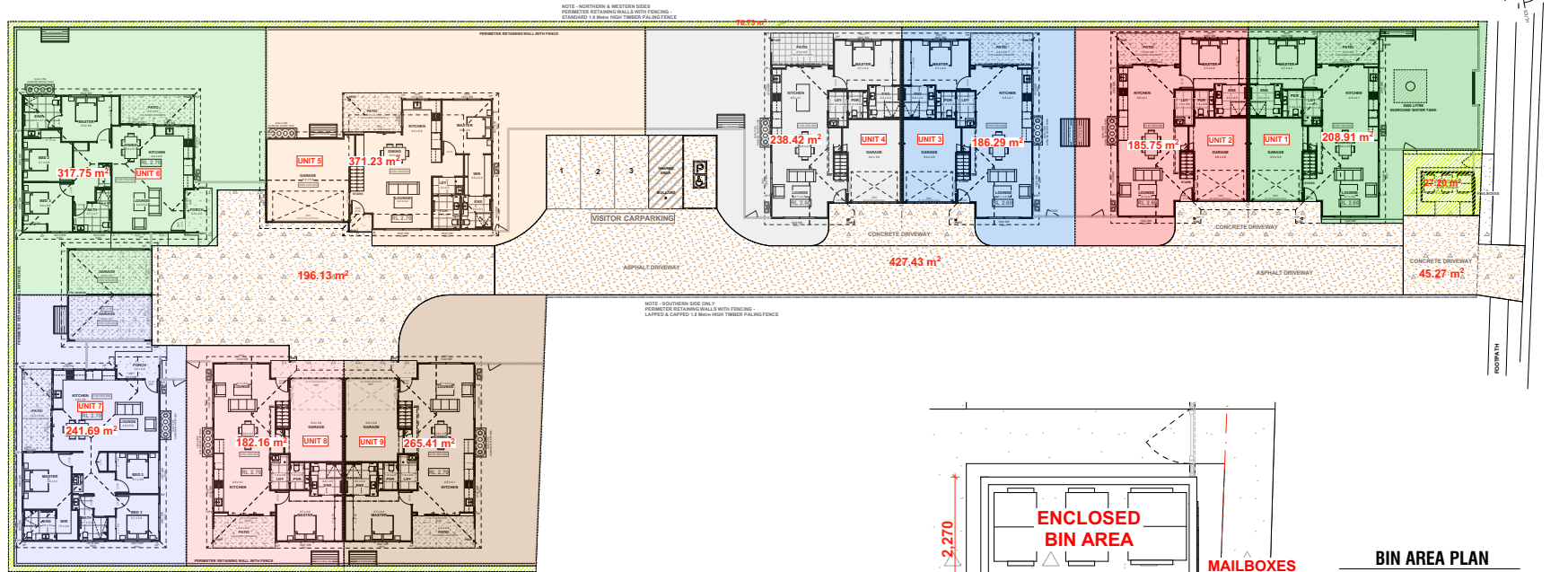


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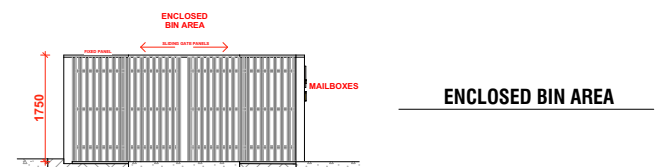
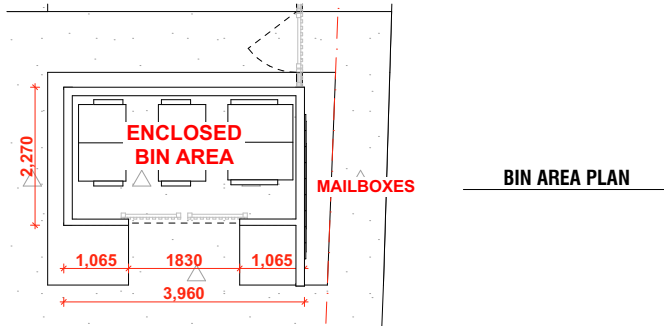
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B	04/10/2021	PRELIM LAYOUT L1 & 2	SR	SR	02	21/05/21	REVISIONS	SR	SR
C	05/06/2021	PRELIM GENERAL LAYOUT	SR	SR					
D	02/06/2021	PRELIM DRAWINGS	SR	SR					
E	04/06/2021	BY CONSTRUCTION REVISIONS 1	SR	SR					
F	20/06/2021	BY CONSTRUCTION REVISIONS 2	SR	SR					

client	project number	drawing number	drawing print date
Moon St Partnership	20008		22/09/2021
Small Lot Development			
78 Moon St, Ballina, NSW			
author	check	drawing name	
SR	Sam Ray	MATERIALS & COLOURS	

WORKING DRAWINGS



**BALLINA SHIRE COUNCIL  
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**S.4.55 Modification to Consent No: 2017/643**  
**Determination date: 24/03/2022**



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B	03/05/21	PRELIM LAYOUT UNIT 1 & 2	SP	2	21/05/21	REVISIONS	SP
C	02/06/21	PRELIM OVERALL LAYOUT	SP				
D	02/06/21	PRELIM DRAWINGS	SP				
E	02/06/21	BY DRAWINGS REVISIONS 1	SP				
F	20/06/21	BY DRAWINGS REVISIONS 2	SP				

client	project number	drawing number	drawing print date
Moon St Partnership	20008		22/09/2021
Small Lot Development	1:200 on A2	1:50 on A2	H
78 Moon St, Ballina, NSW	drawn	checked	
	SR	Sam Ray	

**PROPOSED STRATASUBDIVISION + BIN AREA**

8.2 DA 2017/643 - 78 Moon Street, Ballina - Developer Contributions

**DOWNPIPES**

MIN. SIZE 90mm DIAMETER

MAX. SPACING OF DOWNPIPES IS 12m

DOWNPIPES TO BE FIXED AS CLOSE AS POSSIBLE TO VALLEY GUTTERS & IF MORE THAN 1.2m FROM THE VALLEY PROVISION FOR AN OVERFLOW IS REQUIRED.

**STORMWATER**

STORMWATER TO LEGAL POINT OF DISCHARGE

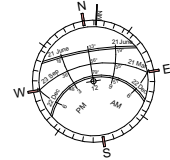
STORMWATER LINES FOR 2 OR MORE DOWNPIPES TO BE 100mm DIA. WITH ALL BRANCHES TO BE 90mm DIA.

STORMWATER LINES SHALL BE TO A MIN. FALL OF 1:60 & WHERE POSSIBLE PLACED AS SHOWN.

100mm COVER TO STORMWATER DRAINAGE. STORMWATER & SEWER TO HYDRAULIC CONSULTANTS INSTRUCTIONS.

REFER TO CIVIL PLANS FOR SEWER & STORMWATER DETAILS

**WORKING DRAWINGS**



LOT 12

LOT 13

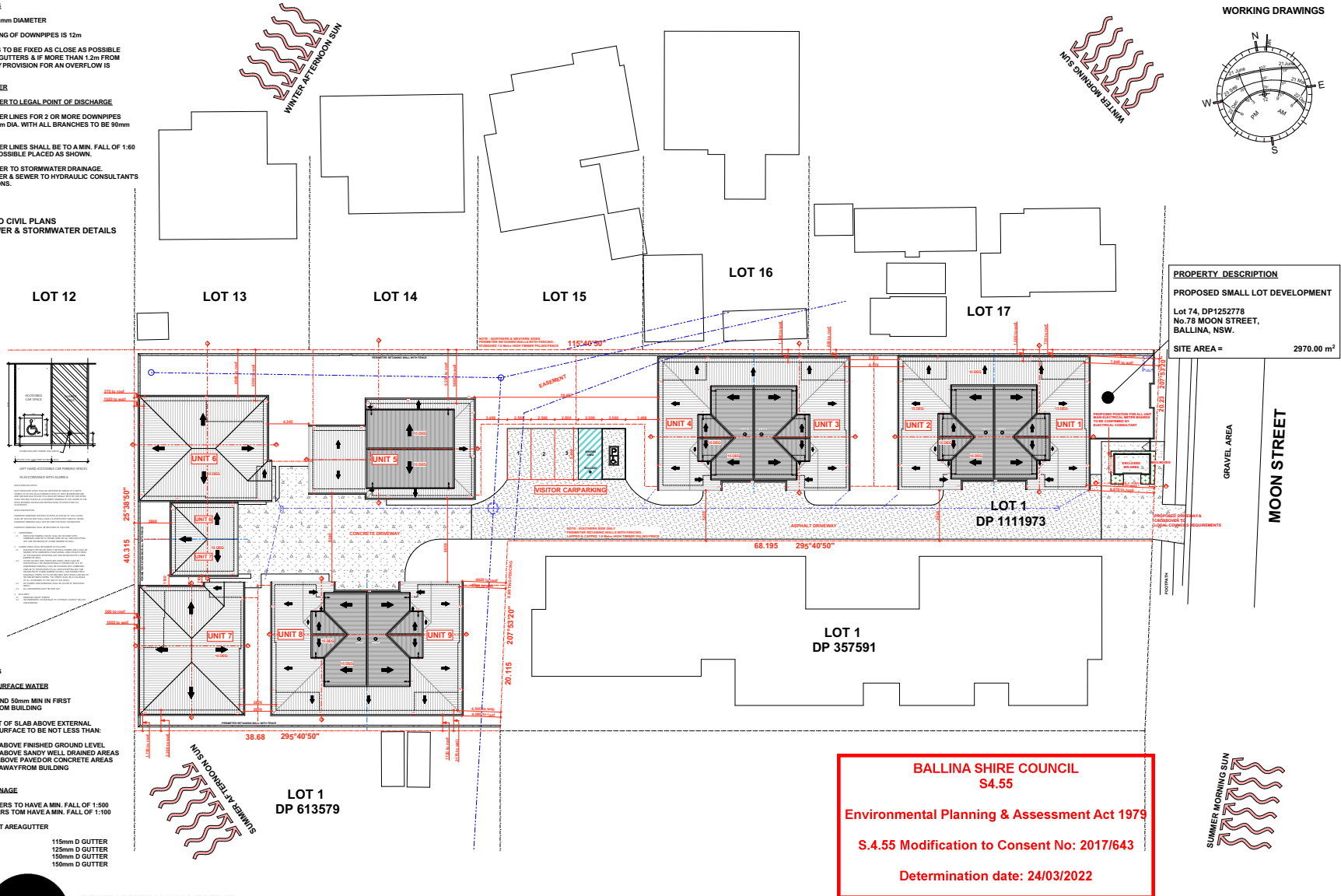
LOT 14

LOT 15

LOT 16

LOT 17

**PROPERTY DESCRIPTION**  
 PROPOSED SMALL LOT DEVELOPMENT  
 Lot 74, DP1252778  
 No.78 MOON STREET,  
 BALLINA, NSW.  
 SITE AREA = 2970.00 m<sup>2</sup>



**SITE NOTES**

**GROUND SURFACE WATER**

FALL GROUND 50mm MIN IN FIRST 100mm FROM BUILDING

THE HEIGHT OF SLAB ABOVE EXTERNAL FINISHED SURFACE TO BE NOT LESS THAN:

- (A) 150mm ABOVE FINISHED GROUND LEVEL
- (B) 100mm ABOVE SANDY WELL DRAINED AREAS
- (C) 50mm ABOVE PAVED OR CONCRETE AREAS WITH FALL AWAY FROM BUILDING

**ROOF DRAINAGE**

FACE GUTTERS TO HAVE A MIN. FALL OF 1:300  
 BOX GUTTERS TO HAVE A MIN. FALL OF 1:100

**CATCHMENT AREA/GUTTER**

- 30m<sup>2</sup> 115mm D GUTTER
- 40m<sup>2</sup> 125mm D GUTTER
- 50m<sup>2</sup> 150mm D GUTTER
- 60m<sup>2</sup> 150mm D GUTTER



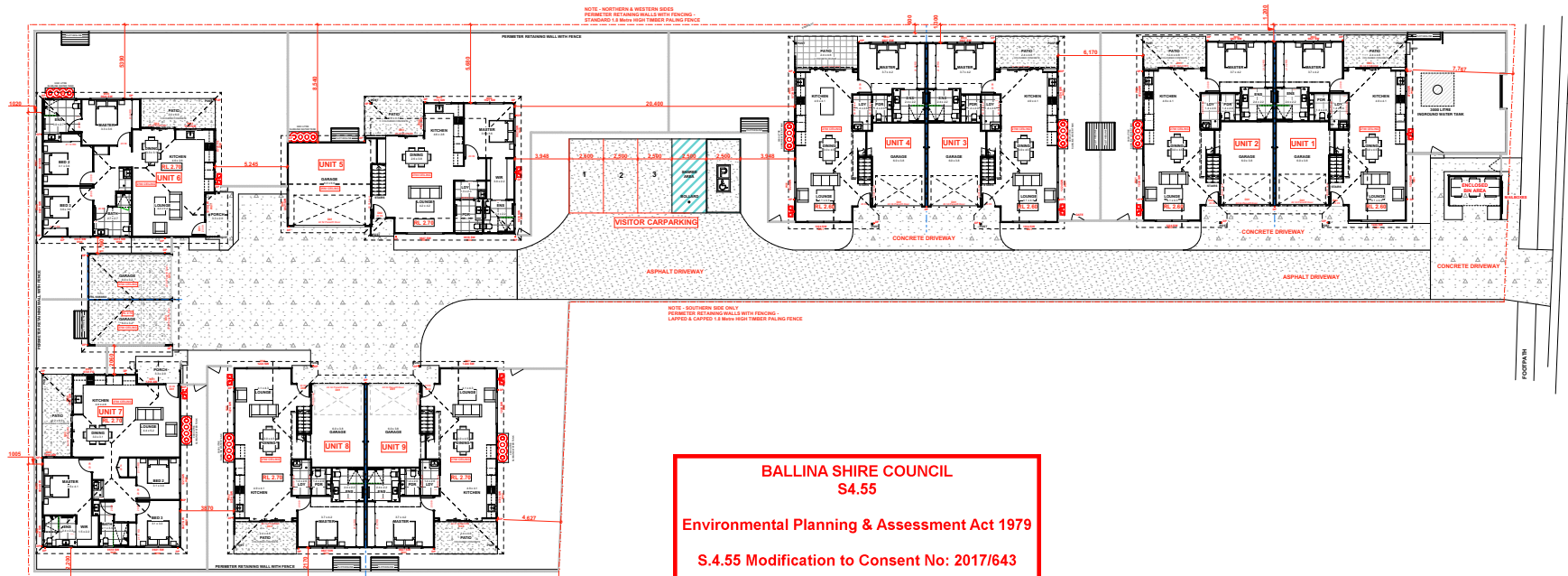
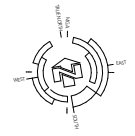
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4	01/10/20	PRELIM DRAINAGES	SR	SR			SR	SR
5	01/10/20	BY CONCRETE REVISIONS 1	SR	SR			SR	SR
6	20/03/22	BY DRAWINGS REVISIONS 2	SR	SR			SR	SR

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 Environmental Planning & Assessment Act 1979  
 S.4.55 Modification to Consent No: 2017/643  
 Determination date: 24/03/2022

client	project number	drawing number	drawing print date
Moon St Partnership	20008	01	22/09/2021
project	scale	sheet	drawing name
Small Lot Development	1:250 on A2	H	PROPOSED SITE PLAN
78 Moon St, Ballina, NSW	drawn	checked	
SR	SR	Sam Ray	

WORKING DRAWINGS



**BALLINA SHIRE COUNCIL**  
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**S.4.55 Modification to Consent No: 2017/643**

**Determination date: 24/03/2022**

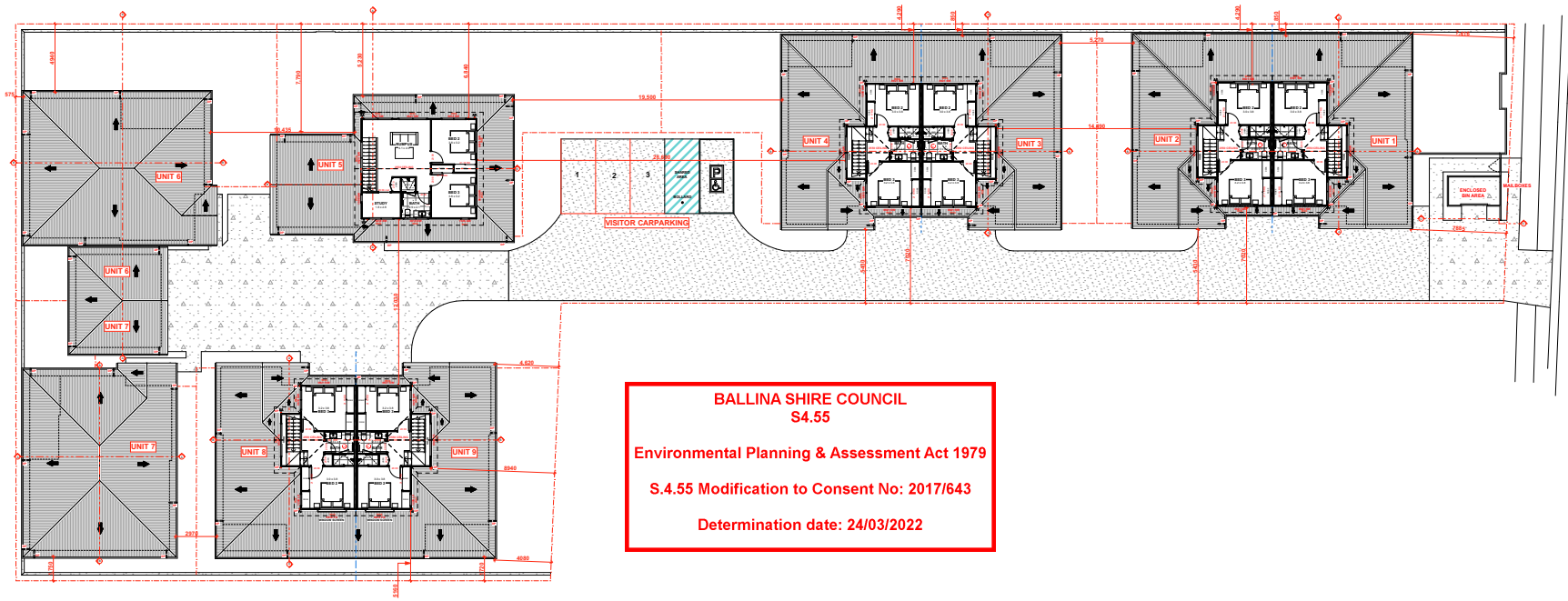
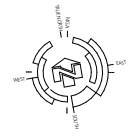


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REV	DATE	DESCRIPTION	ISS	REV	DATE	DESCRIPTION	ISS
A	01/10/2020	PRELIM LAYOUT UNIT 1 & 2	ISS	1	08/05/21	BY DRAWING REVISIONS	ISS
B	05/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	2	21/05/21	REVISIONS	ISS
C	02/09/20	PRELIM OVERALL LAYOUT	ISS				
D	02/09/20	PRELIM DRAWINGS	ISS				
E	02/09/20	BY DRAWING REVISIONS 1	ISS				
F	20/05/21	BY DRAWING REVISIONS 2	ISS				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	02	22/09/2021
Smart Lot Development			
78 Moon St, Ballina, NSW			
scale	drawing name	drawn	checked
1:200 on A2	LOWER FLOOR OVERALL PLAN	SR	Sam Ray

WORKING DRAWINGS



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A	01/10/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	08/05/21	BY DRAWING REVISIONS	SR	SR
B	03/10/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	21/05/21	REVISIONS	SR	SR
C	02/06/21	FIRST FLOOR OVERALL LAYOUT	SR	SR				
D	02/06/21	PRELIM DRAWINGS	SR	SR				
E	02/06/21	BY DRAWING REVISIONS 1	SR	SR				
F	20/06/21	BY DRAWING REVISIONS 2	SR	SR				

CLIENT	PROJECT	PROJECT NUMBER	DRAWING NUMBER	DRAWING PRINT DATE
Moon St Partnership	Small Lot Development	20008	03	22/09/2021
78 Moon St, Ballina, NSW				

SCALE	DRAWING NAME	DRAWN	CHECKED
1:200 on A2	FIRST FLOOR OVERALL PLAN	SR	Sam Ray

# 8.2 DA 2017/643 - 78 Moon Street, Ballina - Developer Contributions

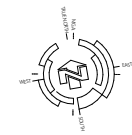
- LEGEND**
- S - SINK
  - CT - COCKTOP
  - F - FRIDGE
  - WO - WALL OVEN
  - HWS - HOT WATER SYSTEM
  - AC - AIR CONDITIONING
  - O - OVEN
  - DW - DISHWASHER
  - WC - TOILET
  - VAN - VANITY BASIN
  - FG - FLOOR GRATE
  - SHR - SHOWER
  - WM - WASHING MACHINE
  - D - CLOTHES DRYER
  - FW - FLOOR WASTE
  - DP - DOWN PIPES
  - SG - SOX GUTTER

**NOTE**  
FOR ALL STRUCTURAL SIZING, FOUNDATIONS, SLABS, FLOOR SYSTEMS, ROOF SYSTEMS, TIE-DOWN AND BRACING & PARTIAL WALL SYSTEMS REFER TO ENGINEERS DRAWINGS.

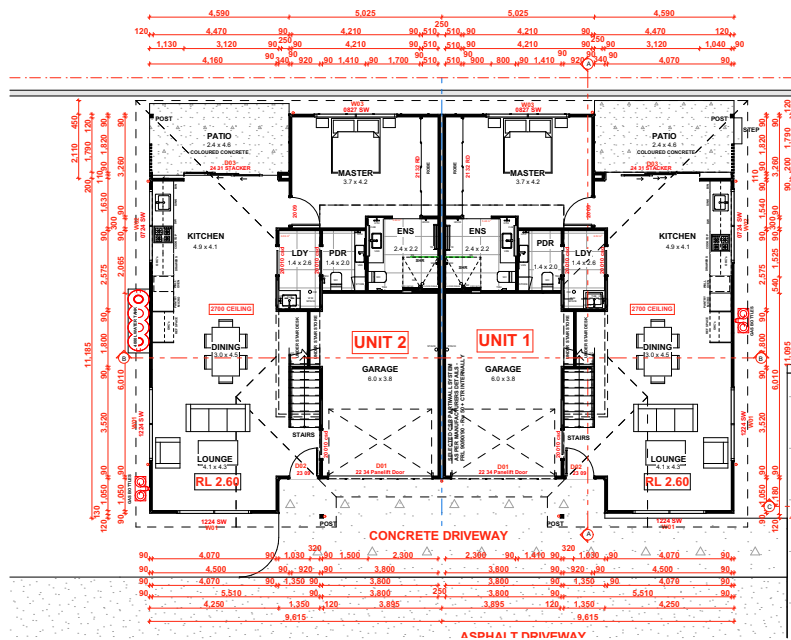
**SELECTIONS**  
SEE INTERIOR DESIGN PLANS FOR SELECTIONS OF FLOOR COVERINGS & WALL FINISHES ETC

**FOR ALL JOINERY DETAILS**  
REFER TO INTERIOR ELEVATIONS AND SPECIFICATIONS

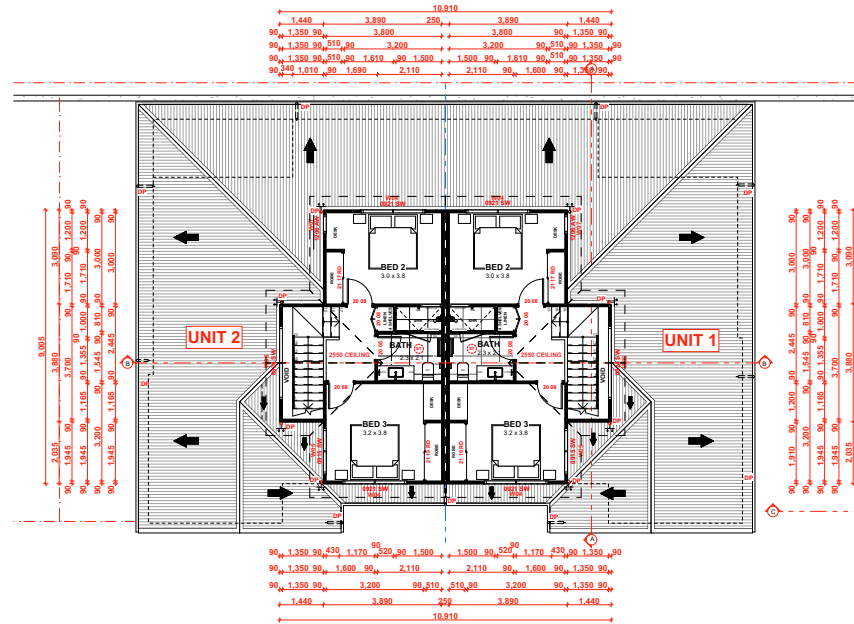
WORKING DRAWINGS



UNITS 1 & 2	
LOWER FLOOR GARAGE -	24.68 m <sup>2</sup>
LIVING AREAS -	90.07 m <sup>2</sup>
PATIO -	10.83 m <sup>2</sup>
	125.58 m <sup>2</sup>
UPPER FLOOR LIVING AREAS -	41.74 m <sup>2</sup>
TOTAL =	165.64 m <sup>2</sup>



GROUND FLOOR PLAN



FIRST FLOOR PLAN

**BALLINA SHIRE COUNCIL**  
S4.55  
Environmental Planning & Assessment Act 1979  
S.4.55 Modification to Consent No: 2017/643  
Determination date: 24/03/2022

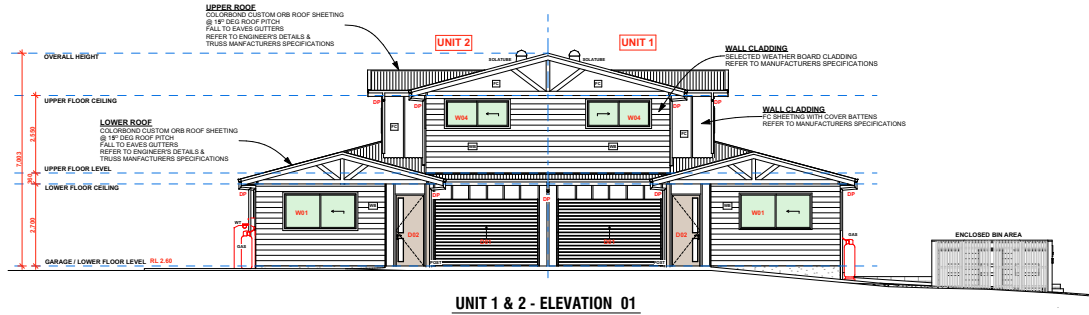
**NOTE:**  
FIRST FLOOR BATHROOMS TO HAVE LED SOLATUBE FITTED



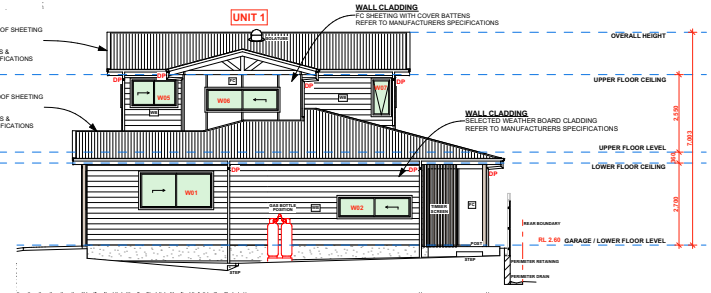
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REV	DATE	DESCRIPTION	ISS	REV	DATE	DESCRIPTION	ISS
A	21/03/20	PRELIM LAYOUT UNITS 1 & 2	ISS	1	21/03/20	BY DRAWING REVISIONS	ISS
B	26/03/20	PRELIM LAYOUT UNITS 1 & 2	ISS	2	21/03/20	REVISIONS	ISS
C	02/04/20	FINAL GENERAL LAYOUT	ISS				
D	02/04/20	PRELIM DRAWINGS	APP				
E	02/04/20	BY CONFORMING REVISIONS	APP				
F	20/03/20	BY DRAWING REVISIONS 3	APP				

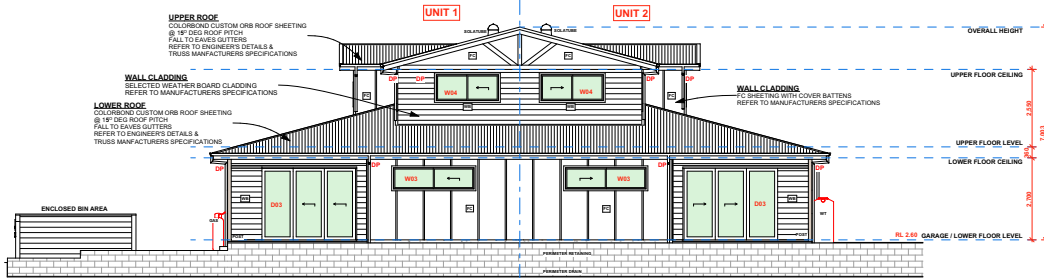
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Moon St Partnership	20008	U-1-2.1	22/09/2021
scale	sheet	drawing name	
1:100 on A2	H	FLOOR PLANS - UNITS 1 & 2	
drawn	checked		
SR	Sam Ray		



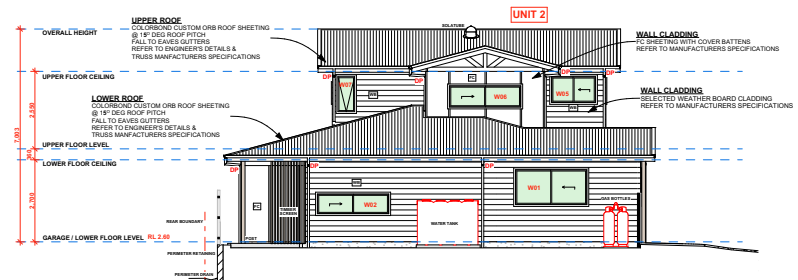
UNIT 1 & 2 - ELEVATION 01



UNIT 1 & 2 - ELEVATION 02



UNIT 1 & 2 - ELEVATION 03



UNIT 1 & 2 - ELEVATION 04

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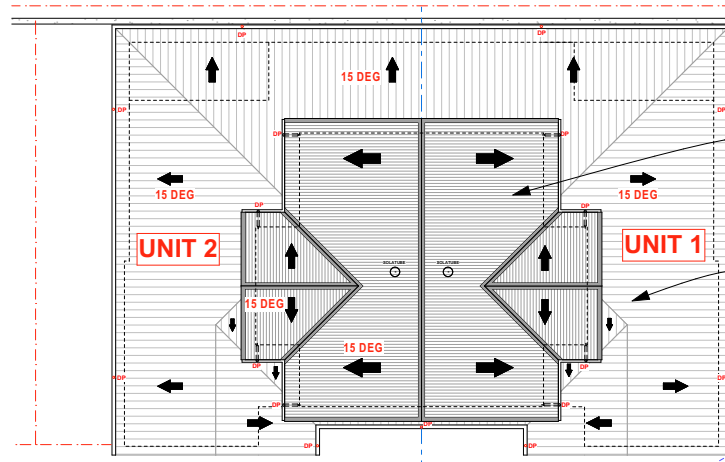
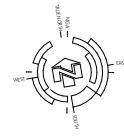
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1	21/03/2022	PRELIM LAYOUT UNIT 1 & 2	001	10	20/03/2022	10 DRAWINGS MANAGE REVISIONS	001
2	21/03/2022	PRELIM LAYOUT UNIT 1 & 2	002	11	21/03/2022	REVISIONS	001
3	22/03/2022	PRELIM GENERAL LAYOUT	001				
4	22/03/2022	PRELIM DRAWINGS	001				
5	22/03/2022	10 DRAWING REVISIONS	001				
6	22/03/2022	10 DRAWING REVISIONS 2	001				

client	arch	drawn	project number	drawing number	drawing print date
Moon St Partnership			20008	U 1-2.2	22/09/2021
Small Lot Development	1:100 on A2	H			
78 Moon St, Ballina, NSW	SR	Sam Ray			

ELEVATIONS - UNITS 1 & 2

WORKING DRAWINGS



UPPER ROOF  
COLORBOND CUSTOM ORB ROOF SHEETING  
@ 15° DEG ROOF PITCH  
FALL TO EAVES GUTTERS  
REFER TO ENGINEER'S DETAILS &  
TRUSS MANUFACTURERS SPECIFICATIONS

LOWER ROOF  
COLORBOND CUSTOM ORB ROOF SHEETING  
@ 15° DEG ROOF PITCH  
FALL TO EAVES GUTTERS  
REFER TO ENGINEER'S DETAILS &  
TRUSS MANUFACTURERS SPECIFICATIONS

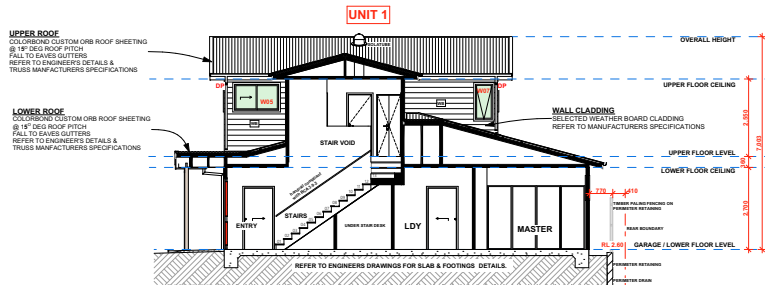
**BALLINA SHIRE COUNCIL**  
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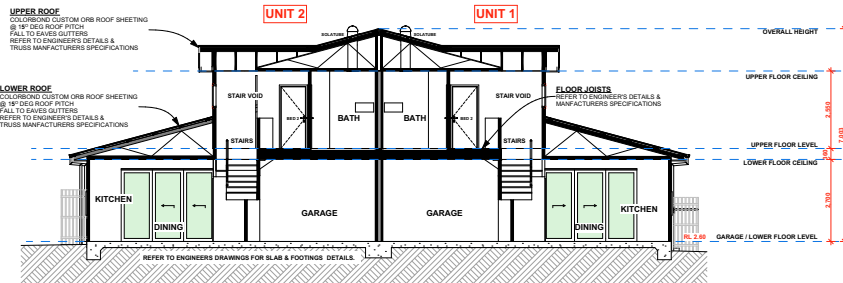
S.4.55 Modification to Consent No: 2017/643

Determination date: 24/03/2022

ROOF PLAN - UNIT 1 & 2



SECTION A - UNIT 1



SECTION B - UNITS 1 & 2



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REV	DATE	DESCRIPTION	BY	CHK	REV	DATE	DESCRIPTION	BY	CHK
A	01/10/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	01	03/03/21	V1 DRAWINGS, VARIATION REVISIONS	SR	SR
B	03/03/21	PRELIM LAYOUT UNIT 1 & 2	SR	SR	02	21/05/21	REVISIONS	SR	SR
C	02/06/21	PRELIM OVERALL LAYOUT	SR	SR					
D	02/06/21	PRELIM DRAWINGS	SR	SR					
E	02/06/21	V1 OVERALL REVISIONS	SR	SR					
F	20/06/21	V1 DRAWING REVISIONS 1	SR	SR					

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 1-2.3	22/09/2021
Scale	1:100 on A2	H	
Project Name	Small Lot Development		
Address	78 Moon St, Ballina, NSW		
Drawn	SR	Checked	
Drawn	SR	Checked	Sam Ray

ROOF PLAN + SECTIONS - UNIT 1 & 2

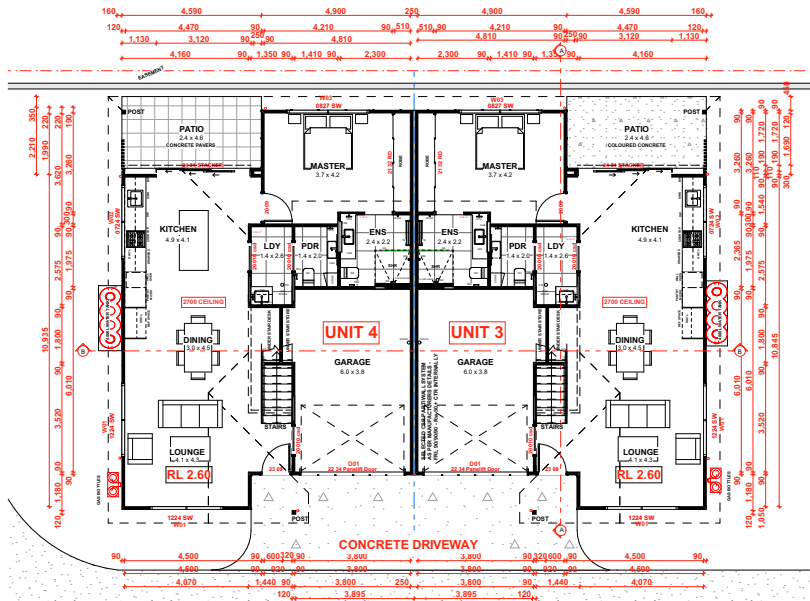
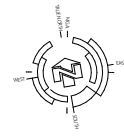


# 8.2 DA 2017/643 - 78 Moon Street, Ballina - Developer Contributions

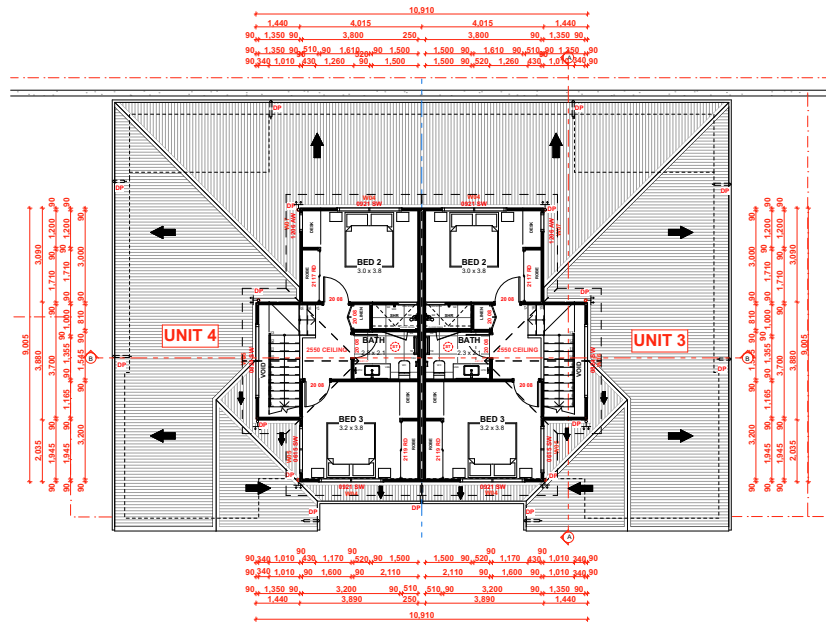
- LEGEND**
- S - SINK
  - CT - COUNTOP
  - F - FRIDGE
  - WO - WALL OVEN
  - HWS - HOT WATER SYSTEM
  - AC - AIR CONDITIONING
  - O - OVEN
  - DW - DISHWASHER
  - WC - TOILET
  - VAN - VANITY BASIN
  - FG - FLOOR GRATE
  - SHR - SHOWER
  - WM - WASHING MACHINE
  - D - CLOTHES DRYER
  - FW - FLOOR WASTE
  - DP - DOWN PIPES
  - SG - SOX GUTTER
- NOTE**
- FOR ALL STRUCTURAL SIZING, FOUNDATIONS, SLABES, FLOOR SYSTEMS, ROOF SYSTEMS, TIE-DOWN AND BRACING & PARTIAL WALL SYSTEMS REFER TO ENGINEERS DRAWINGS.
- SELECTIONS**
- SEE INTERIOR DESIGN PLANS FOR SELECTIONS OF FLOOR COVERINGS & WALL FINISHES ETC
- FOR ALL JOINERY DETAILS REFER TO INTERIOR ELEVATIONS AND SPECIFICATIONS**

UNITS 3 & 4	
LOWER FLOOR GARAGE -	24.68 m <sup>2</sup>
LIVING AREAS -	90.07 m <sup>2</sup>
PATIO -	10.83 m <sup>2</sup>
	125.58 m <sup>2</sup>
UPPER FLOOR LIVING AREAS -	41.74 m <sup>2</sup>
TOTAL =	165.64 m <sup>2</sup>

WORKING DRAWINGS



GROUND FLOOR PLAN



FIRST FLOOR PLAN

**BALLINA SHIRE COUNCIL**  
**S4.55**

Environmental Planning & Assessment Act 1979

S.4.55 Modification to Consent No: 2017/643

Determination date: 24/03/2022

**NOTE:**  
FIRST FLOOR BATHROOMS TO HAVE LED SOLATUBE FITTED

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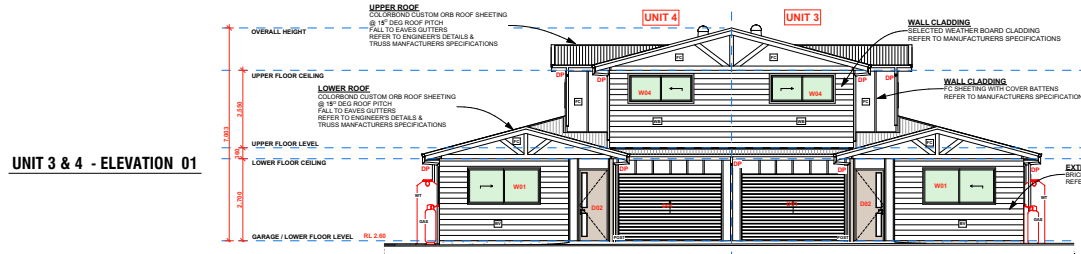
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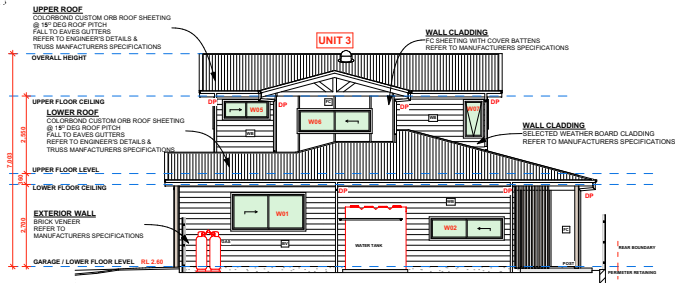
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A	01/10/20	PRELIM LAYOUT UNITS 3 & 4	SR	0	01/10/20	BY DRAWING MANOR REVISIONS	SR
B	03/10/20	PRELIM LAYOUT UNITS 3 & 4	SR	1	21/01/21	REVISIONS	SR
C	02/02/21	PRELIM GENERAL LAYOUT	SR				
D	02/02/21	PRELIM DRAWINGS	SR				
E	02/02/21	BY CONSTRUCTION REVISIONS	SR				
F	20/03/22	BY DRAWING REVISIONS	SR				

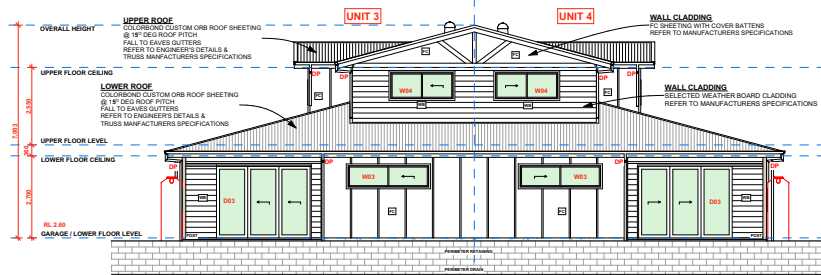
client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 3-4.1	22/09/2021
client	scale	sheet	drawing name
Smart Lot Development	1:100 on A2	H	FLOOR PLANS - UNITS 3 & 4
78 Moon St, Ballina, NSW	drawn	checked	
	SR	Sam Ray	



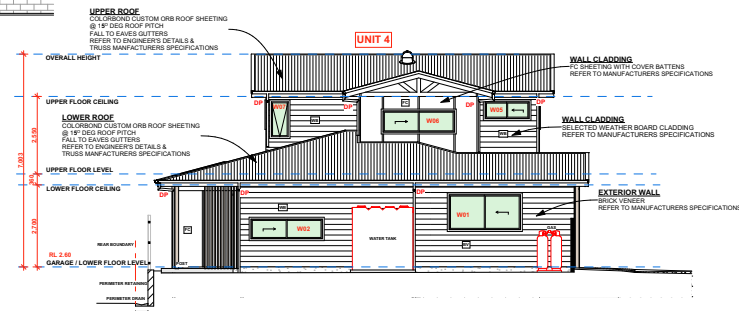
UNIT 3 & 4 - ELEVATION 01



UNIT 3 & 4 - ELEVATION 02



UNIT 3 & 4 - ELEVATION 03



UNIT 3 & 4 - ELEVATION 04

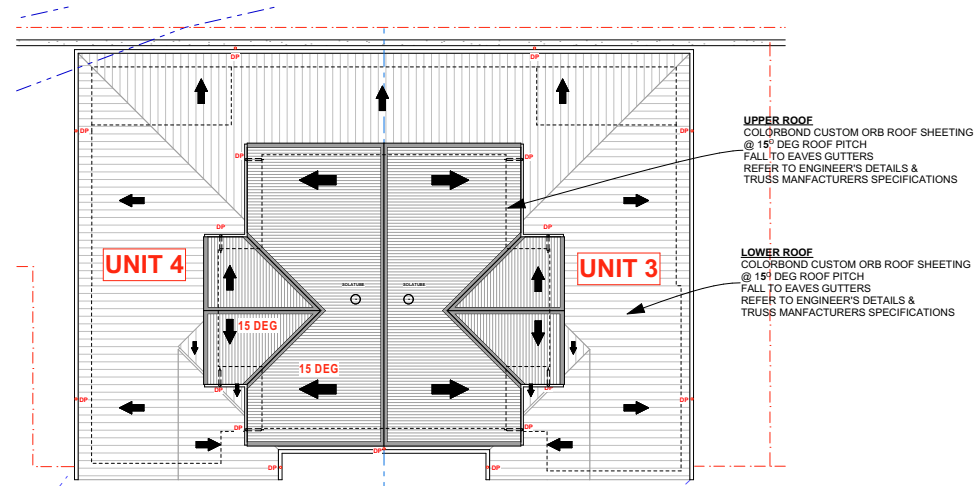
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**S.4.55 Modification to Consent No: 2017/643**  
**Determination date: 24/03/2022**



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REV	DATE	DESCRIPTION	BY	CHKD	REV	DATE	DESCRIPTION	BY	CHKD
1	01/10/20	PRELIM LAYOUT UNIT 3 & 4	SR	SR	1	03/03/21	BY DRAWING MANAGER REVISIONS	SR	SR
2	03/03/21	PRELIM LAYOUT UNIT 3 & 4	SR	SR	2	21/05/21	REVISIONS	SR	SR
3	03/03/21	PRELIM OVERALL LAYOUT	SR	SR					
4	03/03/21	PRELIM DRAWINGS	SR	SR					
5	03/03/21	BY DRAWING MANAGER REVISIONS	SR	SR					
6	20/03/22	BY DRAWING REVISIONS	SR	SR					

client	project number	drawing number	drawing print date
Moan St Partnership	20008	U 3-4.2	22/09/2021
Small Lot Development	scale	drawing name	
78 Moon St, Ballina, NSW	1:100 on A2	ELEVATIONS - UNITS 3 & 4	
SR	SR	Sam Ray	



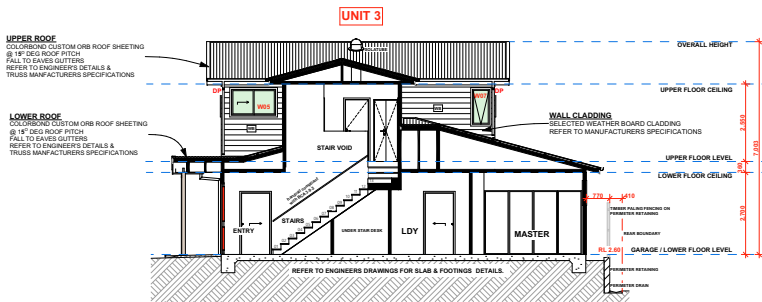
**BALLINA SHIRE COUNCIL**  
S4.55

**Environmental Planning & Assessment Act 1979**

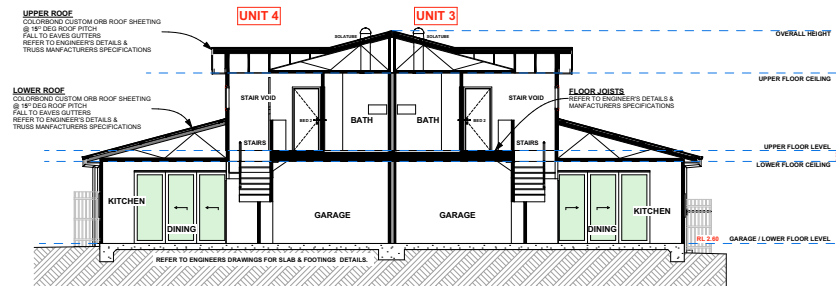
**S.4.55 Modification to Consent No: 2017/643**

**Determination date: 24/03/2022**

**ROOF PLAN - UNIT 3 & 4**



**SECTION A - UNIT 3**



**SECTION A - UNITS 3 & 4**



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REV	DATE	DESCRIPTION	ISS	REV	DATE	DESCRIPTION	ISS
A	01/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	01	04/05/21	V1 DRAWINGS VARIATION REVISIONS	ISS
B	04/05/21	PRELIM LAYOUT UNIT 1 & 2	ISS	02	21/05/21	REVISIONS	ISS
C	02/06/21	PRELIM GENERAL LAYOUT	ISS				
D	02/06/21	PRELIM DRAWINGS	ISS				
E	02/06/21	V1 DRAWING REVISIONS 1	ISS				
F	20/06/21	V1 DRAWING REVISIONS 2	ISS				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 3-4.3	22/09/2021
Scale	1:100 on A2	H	
client	designer	checked	
78 Moon St Ballina, NSW	SR	Sam Ray	

**ROOF PLAN + SECTIONS - UNIT 3 & 4**

# 8.2 DA 2017/643 - 78 Moon Street, Ballina - Developer Contributions

- LEGEND**
- S - SINK
  - CT - COOKTOP
  - F - FRIDGE
  - WO - WALL OVEN
  - HWS - HOT WATER SYSTEM
  - AC - AIR CONDITIONING
  - O - OVEN
  - DW - DISHWASHER
  - WC - TOILET
  - VAN - VANITY BASIN
  - FG - FLOOR GRATE
  - SHR - SHOWER
  - WM - WASHING MACHINE
  - D - CLOTHES DRYER
  - FW - FLOOR WASTE
  - DP - DOWN PIPES
  - SG - SOX GUTTER

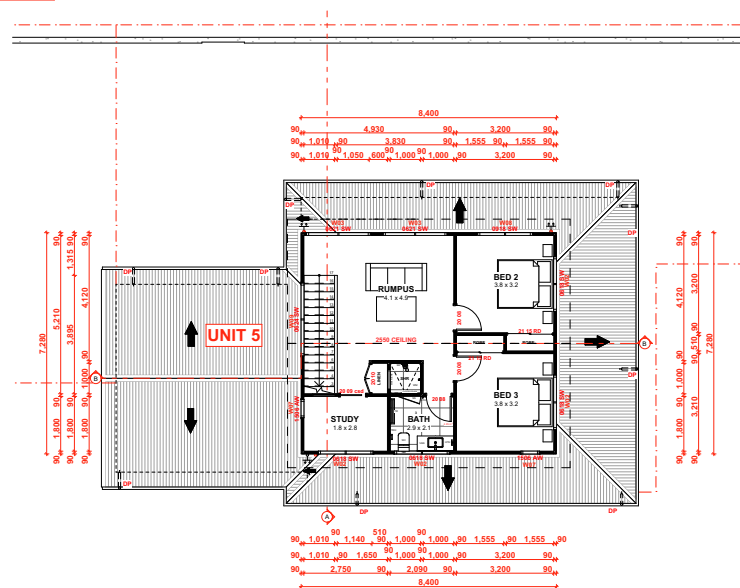
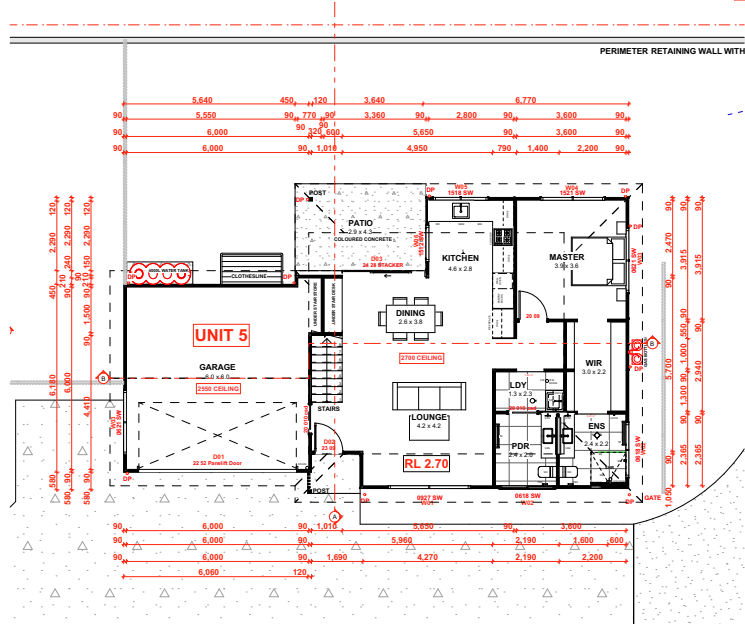
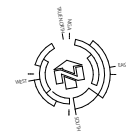
**NOTE**  
FOR ALL STRUCTURAL SIZING, FOUNDATIONS, SLABS, FLOOR SYSTEMS, ROOF SYSTEMS, TIE-DOWN AND BRACING & PARTIAL WALL SYSTEMS REFER TO ENGINEERS DRAWINGS.

**SELECTIONS**  
SEE INTERIOR DESIGN PLANS FOR SELECTIONS OF FLOOR COVERINGS & WALL FINISHES ETC

FOR ALL JOINERY DETAILS REFER TO INTERIOR ELEVATIONS AND SPECIFICATIONS

UNIT 5	
LOWER FLOOR	
GARAGE -	38.60 m <sup>2</sup>
LIVING AREAS -	89.98 m <sup>2</sup>
PATIO -	12.32 m <sup>2</sup>
	140.90 m <sup>2</sup>
UPPER FLOOR	
LIVING AREAS -	61.15 m <sup>2</sup>
TOTAL =	202.05 m <sup>2</sup>

WORKING DRAWINGS



**BALLINA SHIRE COUNCIL**  
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Environmental Planning & Assessment Act 1979  
S.4.55 Modification to Consent No: 2017/643  
Determination date: 24/03/2022



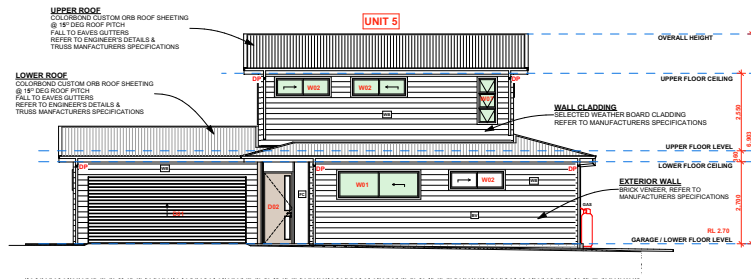
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1	02/02/20	PRELIM LAYOUT UNIT 1 & 2	01	1	02/02/20	BY DRAWING REVISIONS	01
2	02/02/20	PRELIM LAYOUT UNIT 1 & 2	02	1	21/05/21	REVISIONS	01
3	02/02/20	PRELIM OVERALL LAYOUT	01				
4	02/02/20	PRELIM DIMENSIONS	01				
5	20/03/22	BY CONSENT REVISIONS 1	01				
6	20/03/22	BY DRAWING REVISIONS 1	01				

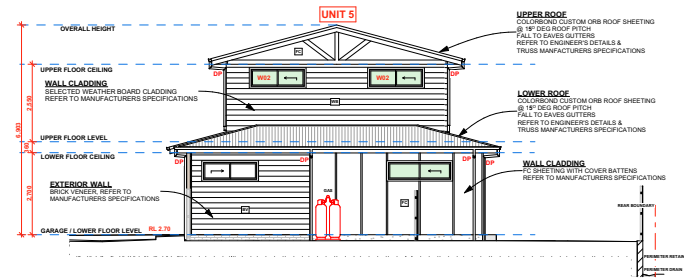
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Moon St Partnership	20008	U 5.1	22/09/2021
client	scale	sheet	drawing name
Small Lot Development	1:100 on A2	H	FLOOR PLANS - UNIT 5
78 Moon St Ballina, NSW	SR	Sam Ray	

UNIT 5 - ELEVATION 01

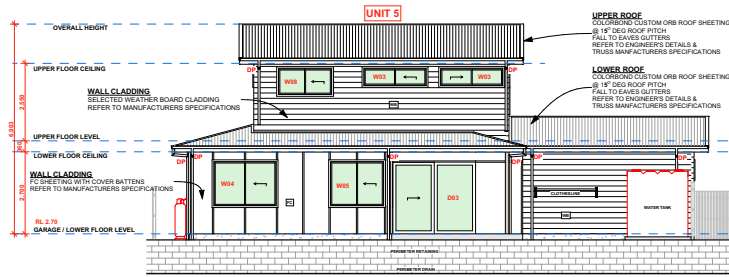


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 Determination date: 24/03/2022

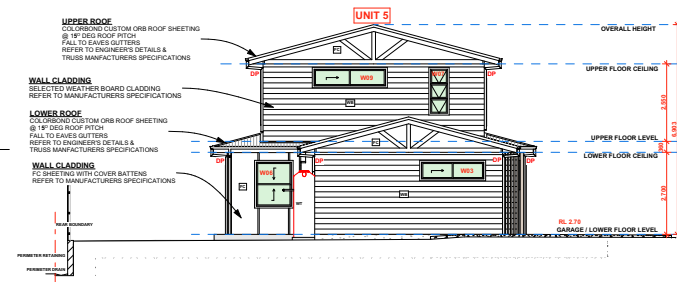
UNIT 5 - ELEVATION 02



UNIT 5 - ELEVATION 03



UNIT 5 - ELEVATION 04

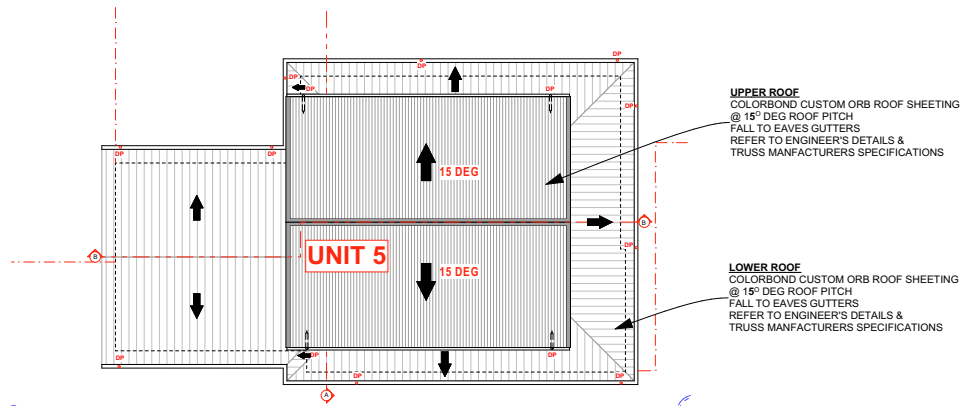


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REV	DATE	DESCRIPTION	ISS	REV	DATE	DESCRIPTION	ISS
A	01/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	1	03/05/21	10 DRAWINGS, VARIOUS REVISIONS	ISS
B	03/03/20	PRELIM LAYOUT UNIT 1 & 2	ISS	2	21/05/21	REVISIONS	ISS
C	03/03/20	PRELIM OVERALL LAYOUT	ISS				
D	02/06/20	PRELIM DRAWINGS	APP				
E	03/03/20	10 DRAWING REVISIONS 1	APP				
F	20/06/20	10 DRAWING REVISIONS 2	APP				

client	project number	drawing number	drawing print date
Moon St Partnership Small Lot Development 78 Moon St Ballina, NSW	20008	U 5.2	22/09/2021
scale: 1:100 on A2 drawing name: ELEVATIONS - UNIT 5 drawn: Sam Ray checked: Sam Ray			



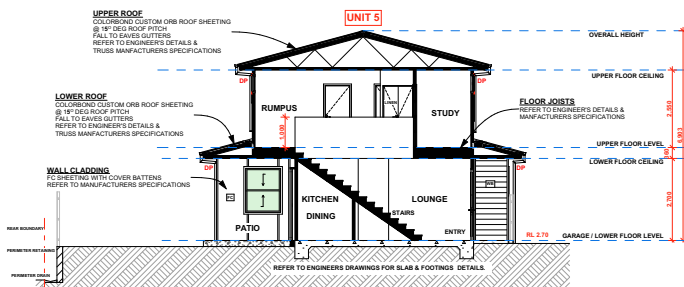
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**S4.55**

Environmental Planning & Assessment Act 1979

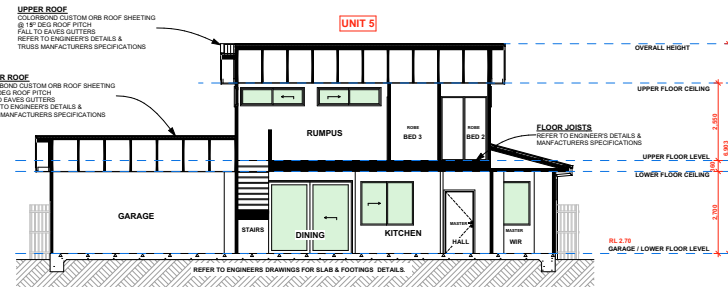
**S.4.55 Modification to Consent No: 2017/643**

Determination date: 24/03/2022

**ROOF PLAN - UNIT 5**



**SECTION A - UNIT 5**



**SECTION B - UNIT 5**



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1	01/10/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	08/05/21	BY DRAWING MAJOR REVISIONS	SR	SR
2	01/10/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	21/05/21	REVISIONS	SR	SR
3	02/06/21	FINAL GENERAL LAYOUT	SR	SR			SR	SR
4	02/06/21	PRELIM DRAWINGS	SR	SR			SR	SR
5	02/06/21	BY CONCRETE REVISIONS 1	SR	SR			SR	SR
6	20/06/21	BY DRAWING REVISIONS 2	SR	SR			SR	SR

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 5.3	22/09/2021
Small Lot Development			
78 Moon St Ballina, NSW			

scale	sheet	drawing name
1:100 on A2	H	ROOF PLAN + SECTIONS - UNIT 5
drawn	checked	
SR	Sam Ray	

# 8.2 DA 2017/643 - 78 Moon Street, Ballina - Developer Contributions

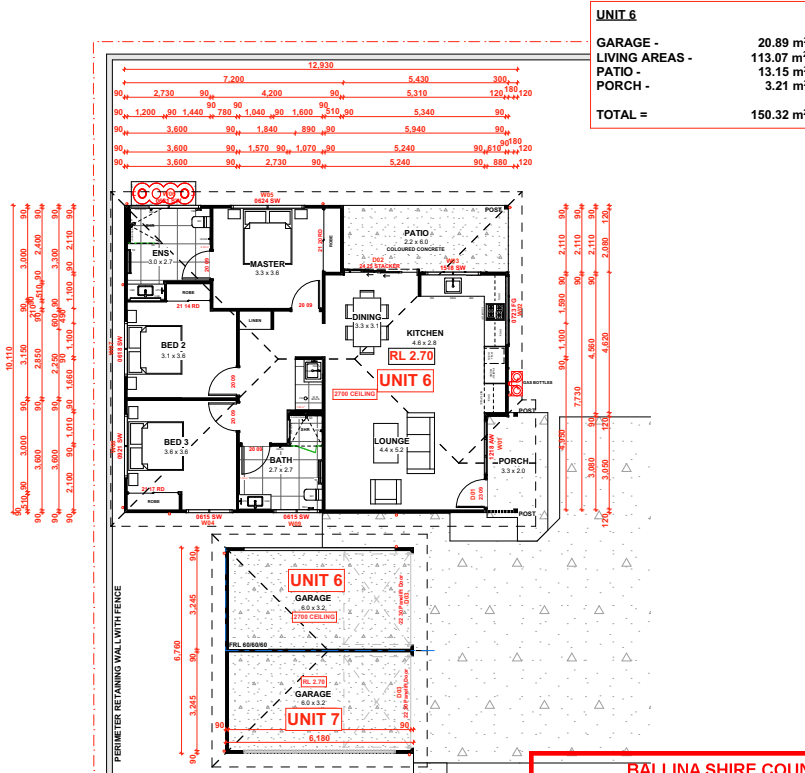
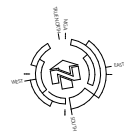
- LEGEND**
- S - SINK
  - CT - COOKTOP
  - F - FRIDGE
  - WO - WALL OVEN
  - HWS - HOT WATER SYSTEM
  - AC - AIR CONDITIONING
  - O - OVEN
  - DW - DISHWASHER
  - WC - TOILET
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  - FG - FLOOR GRATE
  - SHR - SHOWER
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  - D - CLOTHES DRYER
  - FW - FLOOR WASTE
  - DP - DOWN PIPES
  - SG - SOX GUTTER

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**SELECTIONS**  
SEE INTERIOR DESIGN PLANS FOR SELECTIONS OF FLOOR COVERINGS & WALL FINISHES ETC

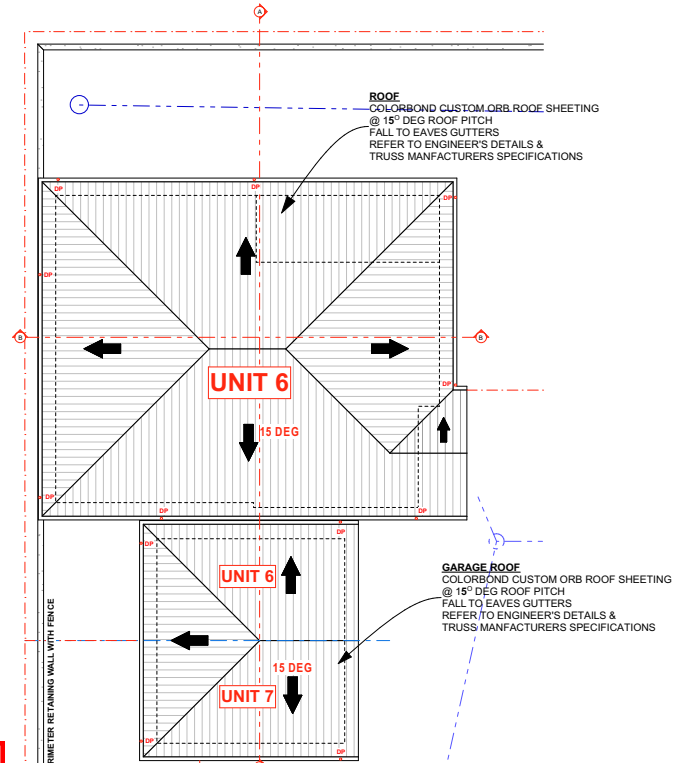
FOR ALL JOINERY DETAILS REFER TO INTERIOR ELEVATIONS AND SPECIFICATIONS

WORKING DRAWINGS



GROUND FLOOR PLAN + GARAGE PLAN

**BALLINA SHIRE COUNCIL**  
**S4.55**  
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**S.4.55 Modification to Consent No: 2017/643**  
**Determination date: 24/03/2022**



ROOF PLAN - UNIT 6



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REV	DATE	DESCRIPTION	BY	CHKD	DATE	DESCRIPTION	BY	CHKD
1	01/02/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	01/02/20	BY DRAWINGS MANAGER REVISIONS	SR	SR
2	03/03/20	PRELIM LAYOUT UNIT 1 & 2	SR	SR	21/03/21	REVISIONS	SR	SR
3	03/03/20	PRELIM OVERALL LAYOUT	SR	SR			SR	SR
4	03/03/20	PRELIM DRAWINGS	SR	SR			SR	SR
5	03/03/20	BY DRAWINGS REVISIONS 1	SR	SR			SR	SR
6	20/03/22	BY DRAWINGS REVISIONS 2	SR	SR			SR	SR

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 6.1	22/09/2021

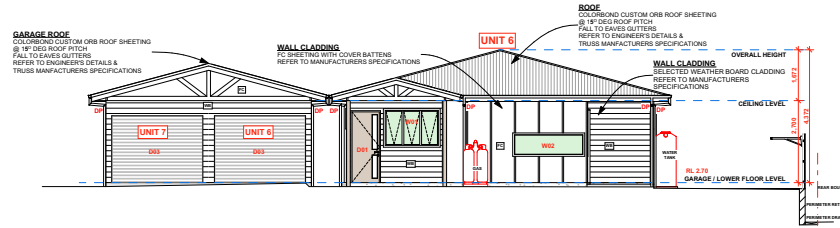
  

scale	sheet	drawing name
1:100 on A2	H	FLOOR PLAN & ROOF PLAN - UNIT 6

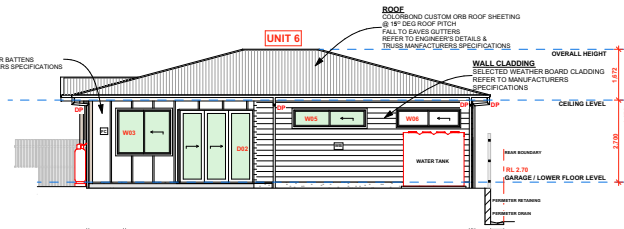
  

drawn	checked
SR	Sam Ray

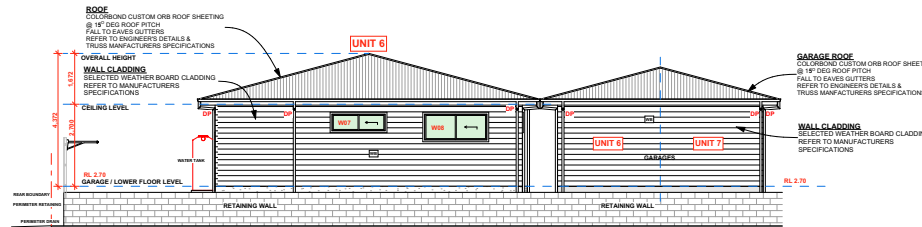
**UNIT 6 - ELEVATION 01**



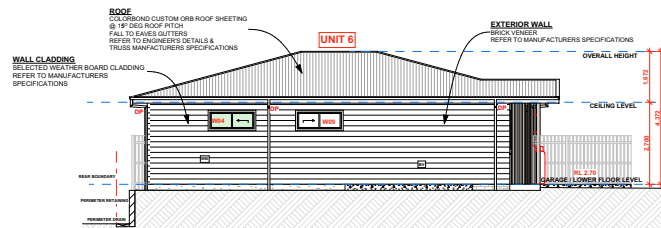
**UNIT 6 - ELEVATION 02**



**UNIT 6 - ELEVATION 03**



**UNIT 6 - ELEVATION 04**



**BALLINA SHIRE COUNCIL**  
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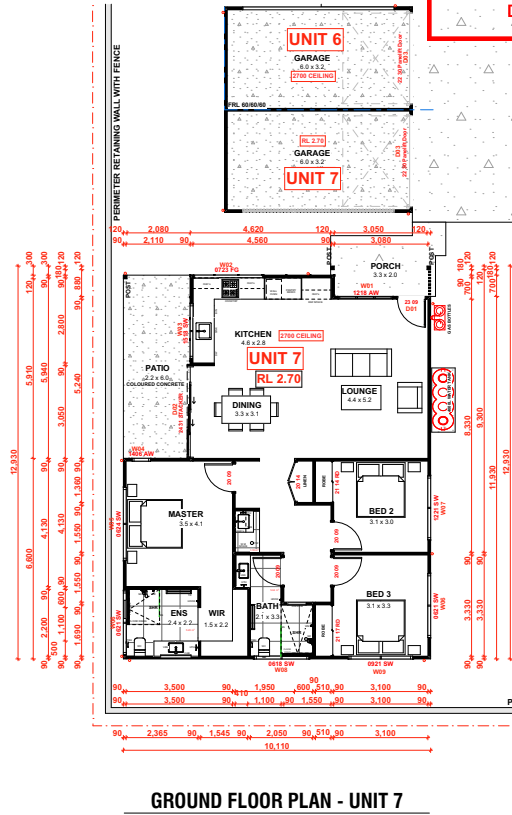
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B	03/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	02	21/05/21	REVISIONS	ISS
C	02/06/21	PRELIM GENERAL LAYOUT	ISS				
D	02/06/21	PRELIM DIMENSIONS	ISS				
E	02/06/21	V1 DIMENSIONS REVISIONS	ISS				
F	20/06/21	V1 DRAWING REVISIONS 2	ISS				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 6.2	22/09/2021
client	scale	sheet	drawing name
Smart Lot Development	1:100 on A2	H	ELEVATIONS - UNIT 6
78 Moon St Ballina, NSW	SR	Sam Ray	



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Determination date: 24/03/2022

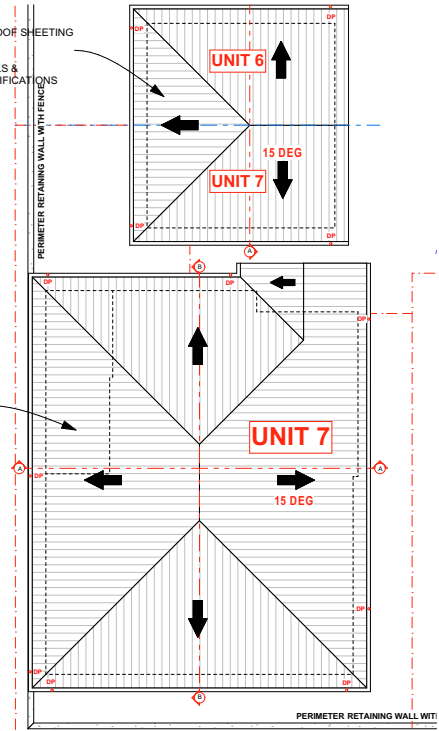


<b>UNIT 7</b>	
GARAGE -	20.89 m <sup>2</sup>
LIVING AREAS -	113.07 m <sup>2</sup>
PATIO -	13.15 m <sup>2</sup>
PORCH -	3.21 m <sup>2</sup>
<b>TOTAL =</b>	<b>150.32 m<sup>2</sup></b>

**GROUND FLOOR PLAN - UNIT 7**

**GARAGE ROOF**  
COLORBOND CUSTOM ORB ROOF SHEETING  
@ 15° DEG ROOF PITCH  
FALL TO EAVES GUTTERS  
REFER TO ENGINEER'S DETAILS &  
TRUSS MANUFACTURERS SPECIFICATIONS

**ROOF**  
COLORBOND CUSTOM ORB ROOF SHEETING  
@ 15° DEG ROOF PITCH  
FALL TO EAVES GUTTERS  
REFER TO ENGINEER'S DETAILS &  
TRUSS MANUFACTURERS SPECIFICATIONS



**ROOF PLAN - UNIT 7**

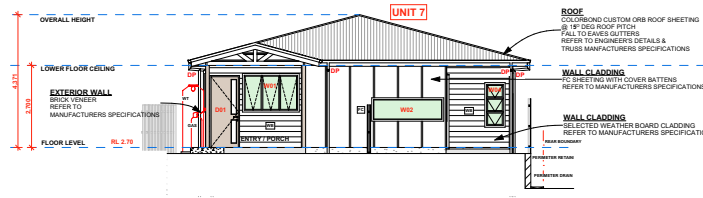


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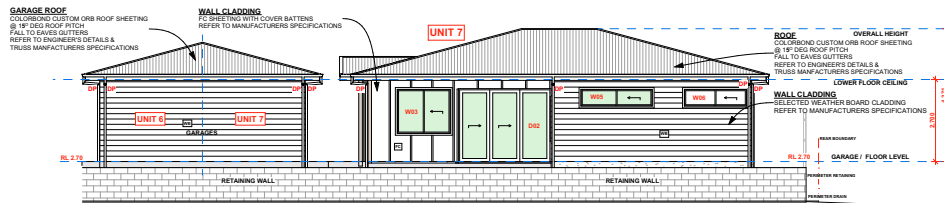
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3	22/09/2021	BY PRELIM CONCRETE LAYOUT	SR				
4	22/09/2021	PRELIM DRAWINGS	SR				
5	22/09/2021	BY CONCRETE REVISIONS	SR				
6	22/09/2021	BY DRAWINGS REVISIONS	SR				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 7.1	22/09/2021
author	title	drawing name	
Sam Ray	Small Lot Development	FLOOR PLAN + ROOF PLAN - UNIT 7	
scale	sheet	drawn	checked
1:100 on A2	H	SR	Sam Ray

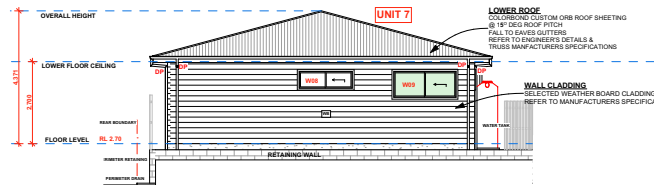
UNIT 7 - ELEVATION 01



UNIT 7 - ELEVATION 02

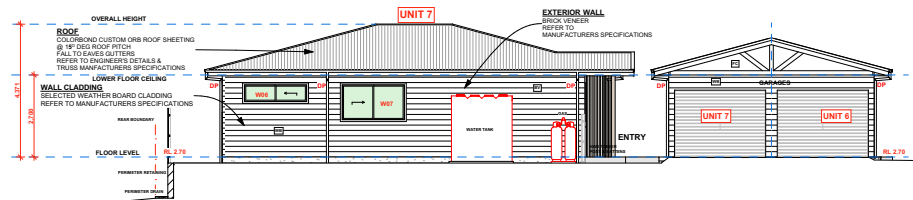


UNIT 7 - ELEVATION 03



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Determination date: 24/03/2022

UNIT 7 - ELEVATION 04

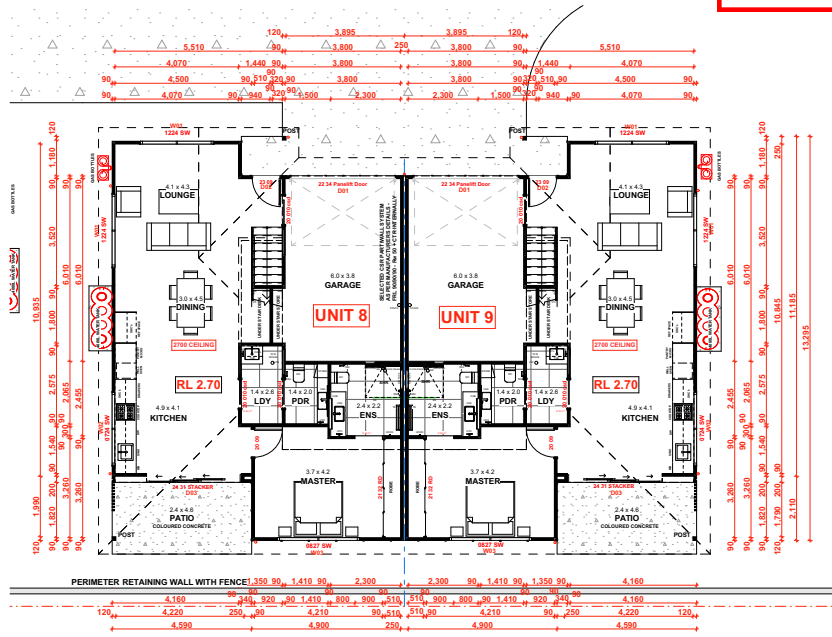


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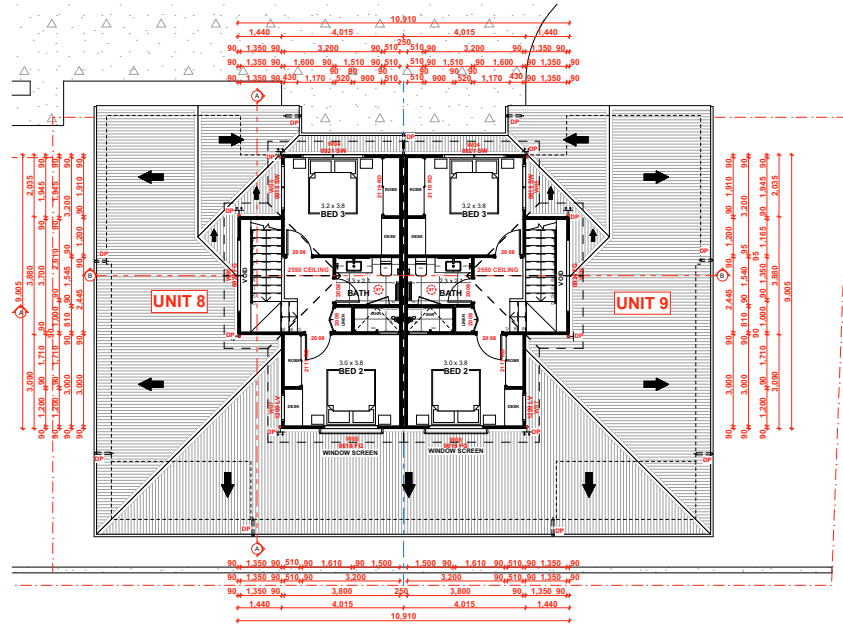
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C	02/09/21	PRELIM OVERALL LAYOUT	ISS				
D	02/09/21	PRELIM DRAWINGS	APP				
E	02/09/21	BY DRAWING REVISIONS 1	APP				
F	20/09/21	BY DRAWING REVISIONS 2	APP				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 7.2	22/09/2021
Small Lot Development	scale	sheet	drawing name
78 Moon St, Ballina, NSW	1:100 on A2	H	ELEVATIONS - UNIT 7
	drawn	checked	
	SR	Sam Ray	

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**Determination date: 24/03/2022**



**GROUND FLOOR PLAN - UNITS 8 & 9**



**FIRST FLOOR PLAN - UNITS 8 & 9**

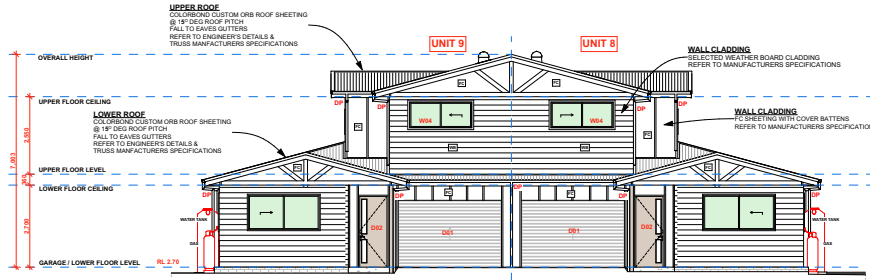
**NOTE:**  
**FIRST FLOOR BATHROOMS TO HAVE LED SOLATUBE FITTED**

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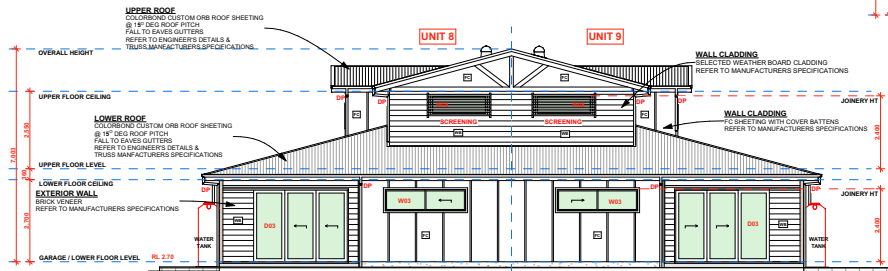
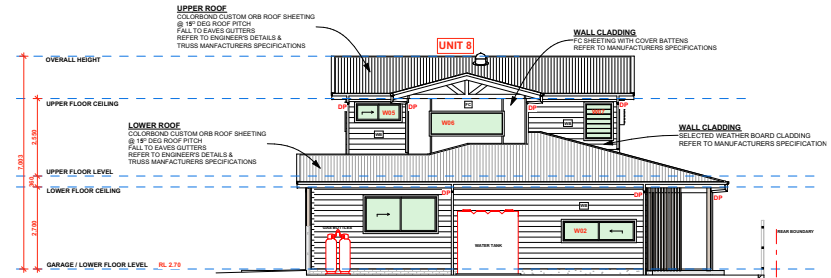
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2	03/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	2	21/05/21	REVISIONS	ISS
3	03/10/20	PRELIM CONCRETE LAYOUT	ISS				
4	03/10/20	PRELIM DRAWINGS	ISS				
5	03/10/20	1/1 CONCRETE REVISIONS	ISS				
6	20/03/22	1/1 DRAWING REVISIONS 3	ISS				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 8-9.1	22/09/2021
project	scale	sheet	drawing name
Smart Lot Development	1:100 on A2	H	FLOOR PLANS - UNIT 8 & 9
78 Moon St Ballina, NSW	drawn	checked	
	SR	Sam Ray	

UNITS 8 & 9 - ELEVATION 01



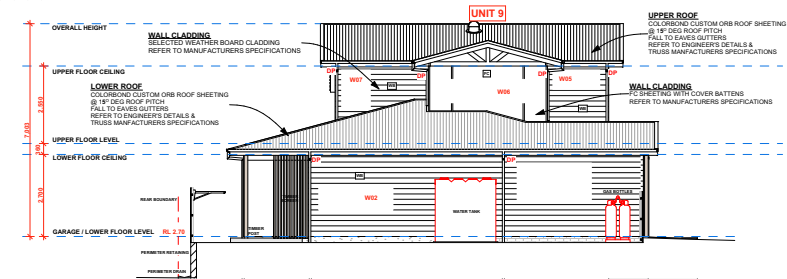
UNITS 8 & 9 - ELEVATION 02



UNITS 8 & 9 - ELEVATION 03

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UNITS 8 & 9 - ELEVATION 04



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REV	DATE	DESCRIPTION	ISS	REV	DATE	DESCRIPTION	ISS
A	01/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	1	20/05/21	V1 DRAWINGS, VARIOUS REVISIONS	ISS
B	03/10/20	PRELIM LAYOUT UNIT 1 & 2	ISS	2	21/05/21	REVISIONS	ISS
C	05/10/20	PRELIM OVERALL LAYOUT	ISS				
D	05/10/20	PRELIM DRAWINGS	ISS				
E	05/10/20	V1 DRAWING REVISIONS 1	ISS				
F	20/05/21	V1 DRAWING REVISIONS 2	ISS				

client	project number	drawing number	drawing print date
Moan St Partnership	20008	U 8-8.2	22/09/2021
sheet	scale	drawing name	
Smart Lot Development	1:100 on A2	H	
78 Moon St, Ballina, NSW	drawn	checked	
	SR	Sam Ray	

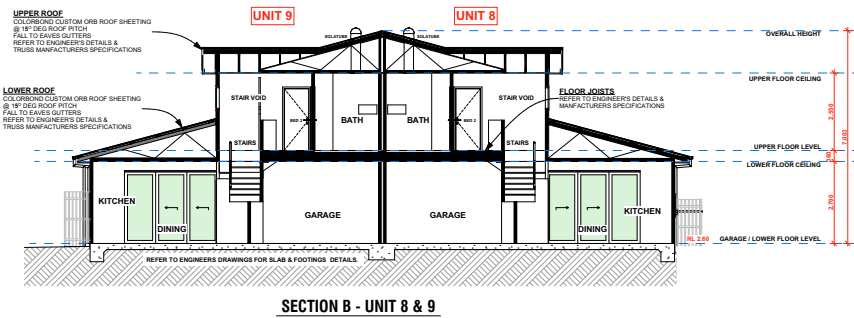
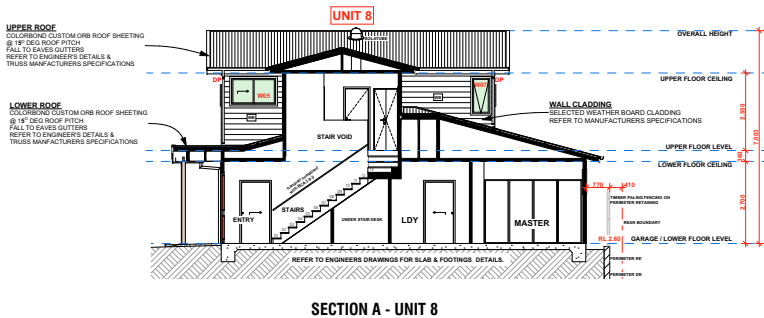
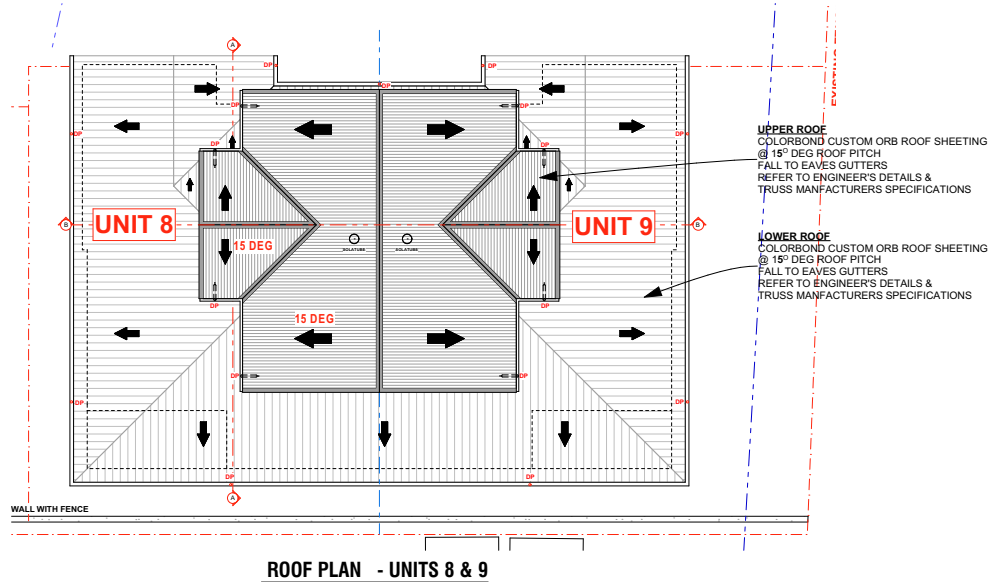
ELEVATIONS - UNITS 8 & 9

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S.4.55 Modification to Consent No: 2017/643

Determination date: 24/03/2022



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REV	DATE	DESCRIPTION	ISS	REV	DATE	DESCRIPTION	ISS
A	01/10/20	PRELIM LAYOUT UNIT 1 & 2	001	0	00/00/00	01 DRAWINGS VARIATION REVISIONS	001
B	03/03/20	PRELIM LAYOUT UNIT 1 & 2	002	1	21/05/21	REVISIONS	001
C	03/03/20	PRELIM OVERALL LAYOUT	003				
D	02/06/20	PRELIM DRAWINGS	004				
E	03/03/20	01 OVERALL REVISIONS	005				
F	20/06/21	01 DRAWING REVISIONS 2	006				

client	project number	drawing number	drawing print date
Moon St Partnership	20008	U 8-9.3	22/09/2021
client	scale	sheet	drawing name
Smart Lot Development	1:100 on A2	H	ROOF PLAN + SECTIONS - UNITS 8 & 9
78 Moon St, Ballina, NSW	drawn	checked	
	SR	Sam Ray	



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**Determination date: 24/03/2022**

## LANDSCAPE PLAN 78 MOON STREET, BALLINA



PREPARED FOR ABODE 2 PROJECT MANAGEMENT  
SEPTEMBER 2021  
PAGE 1 NOTES  
PAGE 2 LANDSCAPE DESIGN

### GENERAL NOTES

Plant selection is based on site characteristics and soil type, locally occurring vegetation communities and the Ballina Shire Urban Garden Guide (2006).

This plan does not show all existing and/or proposed underground and overhead services. The location of services should be determined and marked on site prior to any excavation.

### PROTECTION OF NATIVE VEGETATION

All care should be taken to minimise damage to any trees or native groundcover plants to be retained.

### CONDITION OF PLANTING STOCK

Plant stock shall be of the sizes specified in the Plant Schedule. All plant stock is to:

- Be well established and have a healthy well established root system
- have a balanced crown consistent with the species and variety
- be sun hardened and suitable for planting in the specific microclimate of the site
- show no evidence of myrtle rust or pest, insect or disease damage

All trees shall comply with AS 2303 and be true to the type of species specified (including variety or cultivar name). The foliage size, texture and colour at the time of delivery must be consistent with the size texture and colour exhibited by healthy specimens of the same species.

### SOIL

Existing soils are mapped by Morand (1994) as 'Disturbed Terrain Soil Landscape' which consists primarily of land disturbed by human activity to a depth of at least 100cm built up with mixed landfill.

For garden areas and backfilling tree holes use imported garden soil. Imported garden soil must be a 'premium quality' landscape garden mix and:

- be of a friable and porous nature with no refuse or material toxic to plant growth,
- be free of extraneous matter (stones, lumps, root matter or sticks) larger than 20mm in size,
- have an organic matter content of at least 25 by mass,
- have a pH between 5-7 and an electrical conductivity of 0.4-1.0.

### MAINTENANCE

All planting works shall be maintained for a period of 52 weeks from the date of completion. Maintenance is to consist of:

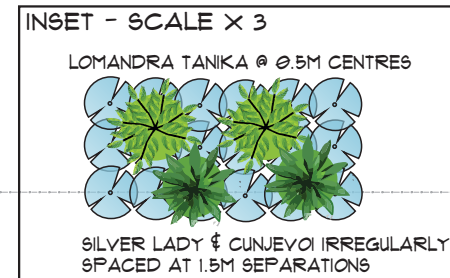
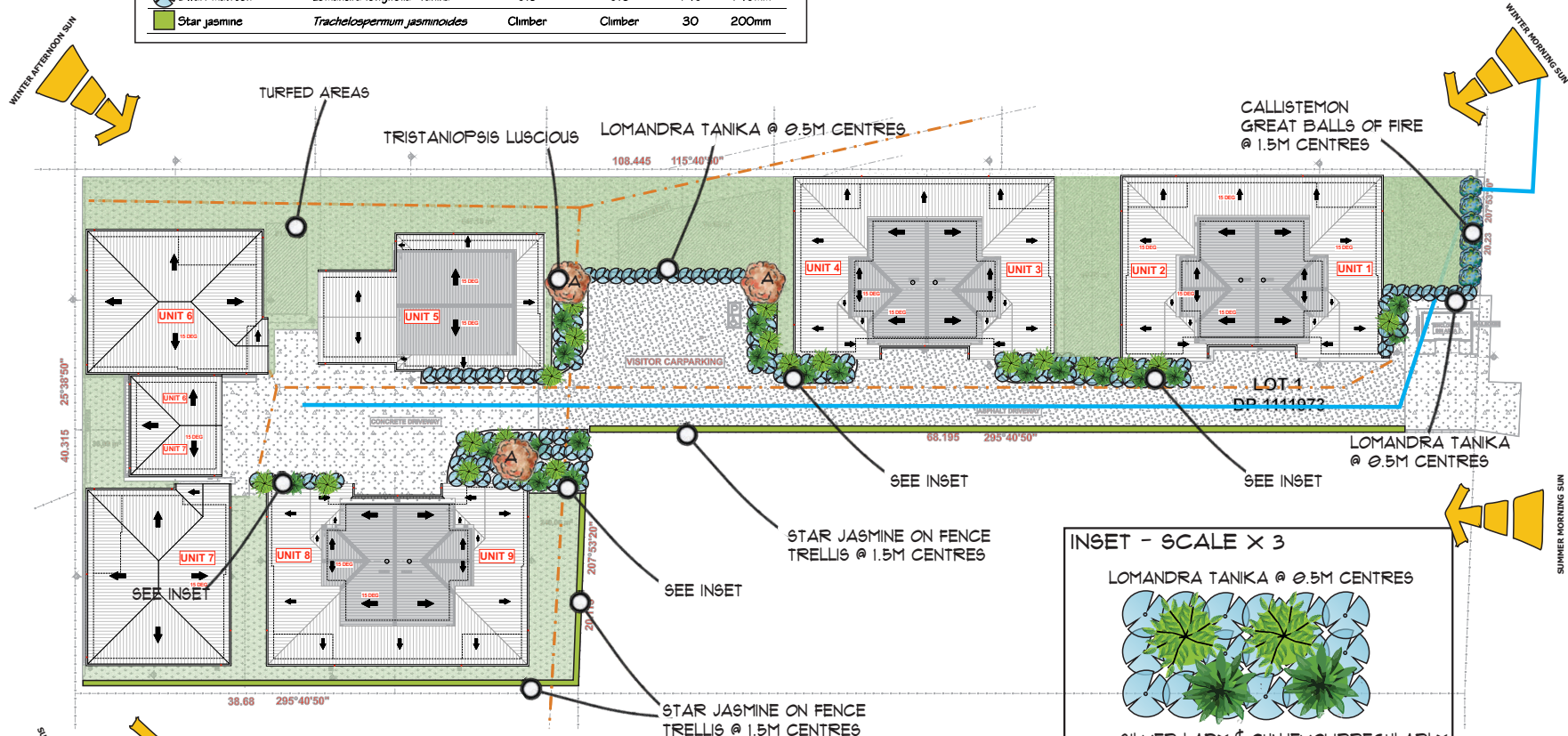
- watering as required to maintain plants in a healthy and vigorously growing condition
- replenishment of soil and mulch to the design depths
- removal of any rubbish and litter
- control of weed species and pest and disease control
- pulling mulch away from the base of plants
- fertilising if required to achieve satisfactory growth.
- replacement of any failed, damaged or missing plants

### PLANTING NOTES

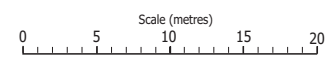
Following the installation of soils to the required depths, planting holes are to be excavated at approximately twice the width of the plant rootball. The plant is to be planted level into the site soil. Holes are to be backfilled with imported garden soil lightly compacting the backfilled soil. Plants are to be deeply watered immediately after planting. Mulch is to be spread in garden beds and pulled away from trunk or stem of plant.

Landscape beds and individual trees are to be mulched with 'Course tea tree mulch' to a depth of 100mm.

KEY TO LANDSCAPING						
KEY	COMMON NAME	BOTANICAL NAME	APPROX. MATURE HEIGHT (M)	APPROX. MATURE SPREAD (M)	NUMBER	CONTAINER SIZE
	Water gum	<i>Tristaniopsis "Luscious"</i>	7	4	3	400mm
	Small willow bottlebrush	<i>Callistemon "Great balls of fire"</i>	1.75	1.5	6	200mm
	Silver lady	<i>Blechnum "Silver lady"</i>	1	1	25	200mm
	Curjevoi	<i>Alocasia brisbanensis</i>	1	1	25	200mm
	Dwarf matrush	<i>Lomandra longifolia "Tanika"</i>	0.5	0.6	140	140mm
	Star jasmine	<i>Trachelospermum jasminoides</i>	Climber	Climber	30	200mm



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**S.4.55 Modification to Consent No: 2017/643**  
 Project  
 2131 78 MOON STREET BALLINA  
**Determination date: 24/03/2022**



PAGE 2 OF 2

Author & Date  
MF 1/10/2021

Source  
SDC 20008

Page 2  
Landscape plantings

# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Multi Dwelling

Certificate number: 876718M\_03

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

This certificate is a revision of certificate number 876718M lodged with the consent authority or certifier on 16 November 2017 with application 2017/643.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Schedule 1 Clause 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary

Date of issue: Saturday, 08 May 2021

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,  
Industry &  
Environment

**BALLINA SHIRE COUNCIL**  
**S4.55**

**Environmental Planning & Assessment Act 1979**

**S.4.55 Modification to Consent No: 2017/643**

**Determination date: 24/03/2022**

### Project summary

Project name	7166_03
Street address	78 Moon Street Ballina 2478
Local Government Area	Ballina Shire Council
Plan type and plan number	deposited 1111973
Lot no.	1
Section no.	-
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	9
No. of single dwelling houses	0

### Project score

Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 50	Target 50

### Certificate Prepared by

Name / Company Name: Partners Energy Management

ABN (if applicable): 86638119847



## Description of project

Project address	
Project name	7166_03
Street address	78 Moon Street Ballina 2478
Local Government Area	Ballina Shire Council
Plan type and plan number	deposited 1111973
Lot no.	1
Section no.	-
Project type	
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	9
No. of single dwelling houses	0
Site details	
Site area (m <sup>2</sup> )	3121
Roof area (m <sup>2</sup> )	1210
Non-residential floor area (m <sup>2</sup> )	0.0
Residential car spaces	4
Non-residential car spaces	0

Common area landscape	
Common area lawn (m <sup>2</sup> )	600.0
Common area garden (m <sup>2</sup> )	0.0
Area of indigenous or low water use species (m <sup>2</sup> )	0.0
Assessor details	
Assessor number	20039
Certificate number	0003138570
Climate zone	10
Ceiling fan in at least one bedroom	No
Ceiling fan in at least one living room or other conditioned area	No
Project score	
Water	✓ 40 Target 40
Thermal Comfort	✓ Pass Target Pass
Energy	✓ 50 Target 50

**BALLINA SHIRE COUNCIL**  
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**S.4.55 Modification to Consent No: 2017/643**  
**Determination date: 24/03/2022**

### Description of project

The tables below describe the dwellings and common areas within the project

#### Multi-dwelling houses

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
U1	3	115.3	0.0	15.0	0.0
U6	3	101.0	6.7	15.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
U2	3	115.3	0.0	15.0	0.0
U7	3	98.8	5.8	15.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
U3	3	115.3	0.0	15.0	0.0
U8	3	115.3	0.0	15.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
U4	3	115.3	0.0	15.0	0.0
U9	3	115.3	0.0	15.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
U5	3	126.7	10.2	15.0	0.0

**BALLINA SHIRE COUNCIL**  
**S4.55**  
**Environmental Planning & Assessment Act 1979**  
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**No common areas specified.**

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## Schedule of BASIX commitments

1. Commitments for multi-dwelling houses

(a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort

2. Commitments for single dwelling houses

3. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

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**BALLINA SHIRE COUNCIL**  
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**Environmental Planning & Assessment Act 1979**  
any development consent granted, or complying  
**S.4.55 Modification to Consent No: 2017/643**

**Determination date: 24/03/2022**

### Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development certificate issued, for the proposed development, that BASIX commitments be complied with.

#### 1. Commitments for multi-dwelling houses

##### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 6 but <= 7.5 L/min)	4 star	6 star	6 star	no	-	-	-	-	-	-	-	-	-

Dwelling no.	Alternative water source								
	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up	
All dwellings	individual water tank (no. 1)	Tank size (min) 2000.0 litres	To collect run-off from at least: 60.0 square metres of roof area;	yes	no	no	no	no	
None	-	-	-	-	-	-	-	-	

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

**BALLINA SHIRE COUNCIL**  
**S4.55**

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Certificate No.: 876718M\_03      Saturday, 08 May 2021

**Determination date: 24/03/2022**

**BALLINA SHIRE COUNCIL**  
**S4.55**

**Environmental Planning & Assessment Act 1979**

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**Determination date: 24/03/2022**

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	
(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.	✓	✓	✓

Dwelling no.	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, not ducted	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
U5	-	-	-	-	4 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	1	yes
U6, U7	-	-	-	-	3 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	1	yes
All other dwellings	-	-	-	-	3 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	0	yes

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	-	-	-	no	yes

Dwelling no.	Alternative energy		
	Photovoltaic system (min rated electrical output in peak kW)		
All dwellings	<p style="text-align: center;"><b>BALLINA SHIRE COUNCIL</b>  <b>S.4.55</b>  <b>Environmental Planning &amp; Assessment Act 1979</b>  <b>S.4.55 Modification to Consent No: 2017/643</b></p>		
<b>(iii) Thermal Comfort</b>	<p style="text-align: center;"><b>Determination date: 24/03/2022</b></p>		<p><b>Show on DA plans</b></p>
<p>(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.</p>		<p><b>Show on CC/CDC plans &amp; specs</b></p>	<p><b>Certifier check</b></p>



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**Determination date: 24/03/2022**

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✔		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✔	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✔	✔
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✔	✔	✔
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✔	✔	✔

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m <sup>2</sup> /yr)	Area adjusted cooling load (in mJ/m <sup>2</sup> /yr)
U1	11.8	32.7
U2	14.2	34.9
U3	12.0	32.5
U4	14.0	35.3
U5	17.0	25.7
U6	7.4	21.6
U7	10.3	21.3

Thermal loads		
Dwelling no.	Area adjusted heating load (in mJ/m <sup>2</sup> /yr)	Area adjusted cooling load (in mJ/m <sup>2</sup> /yr)
U8	13.8	30.6
All other dwellings	10.9	25.2

Construction of floors and walls					
Dwelling no.	Concrete slab on ground(m <sup>2</sup> )	Suspended floor with open subfloor (m <sup>2</sup> )	Suspended floor with enclosed subfloor (m <sup>2</sup> )	Suspended floor above garage (m <sup>2</sup> )	Primarily rammed earth or mudbrick walls
U5	85	4	-	-	No
U6	101	-	-	-	No
U7	98	-	-	-	No
All other dwellings	84	-	-	23	No

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**Determination date: 24/03/2022**

**3. Commitments for common areas and central systems/facilities for the development (non-building specific)**

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	4 star	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

**Notes**

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

**Legend**

1. Commitments identified with a "✔" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✔" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✔" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).

**BALLINA SHIRE COUNCIL**  
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**S.4.55 Modification to Consent No: 2017/643**

**Determination date: 24/03/2022**



# Sharpes Beach Carpark Upgrade

DRAFT CONCEPT PLAN

10 November 2023





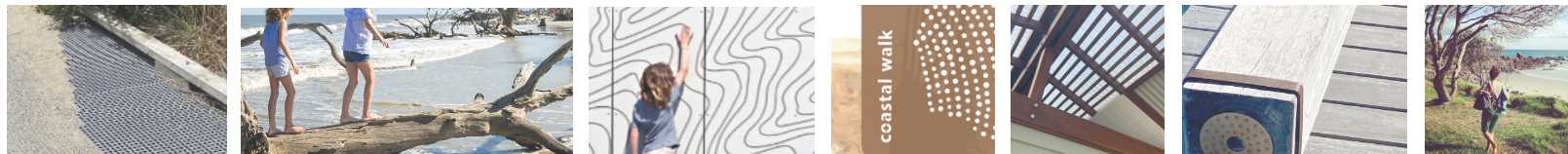
## Upgrades

### CARPARK FEATURES

- 1 Accessible carparking with provision for long vehicles and disabled access including low level bollard lighting.
- 2 Building to accomodate storage for Surf Life Saving equipment with accessible toilets, showers, bubblers and other furnishings.
- 3 Accessible and inclusive viewing platforms and open grassed areas at existing vantage points
- 4 Drainage improvements with native landscaping of coastal species, driftwood logs and basalt rock boulders to help protect dune.
- 5 Overflow carpark areas north of main carpark shown for possible future expansion.



BALLINA SHIRE COUNCIL Sharpes Beach Carpark Upgrade Draft Concept Plan 2



## Key features

### EXAMPLE IMAGES

- 1 Maximising circulation with continuous accessible path of travel priority with minimal upright kerbing and low level bollard lighting.
- 2 Building facade to use natural tones and materials to help nestle into the landscape.
- 3 Viewing platforms with seating at existing vantage points to provide gathering spaces beside walking track
- 4 Drainage improvements with native landscaping of coastal species, driftwood logs, basalt boulders and hardwood beach fencing to help protect dunes from erosion.
- 5 Public art features consistent with the existing 'Cultural Ways' walking trail works

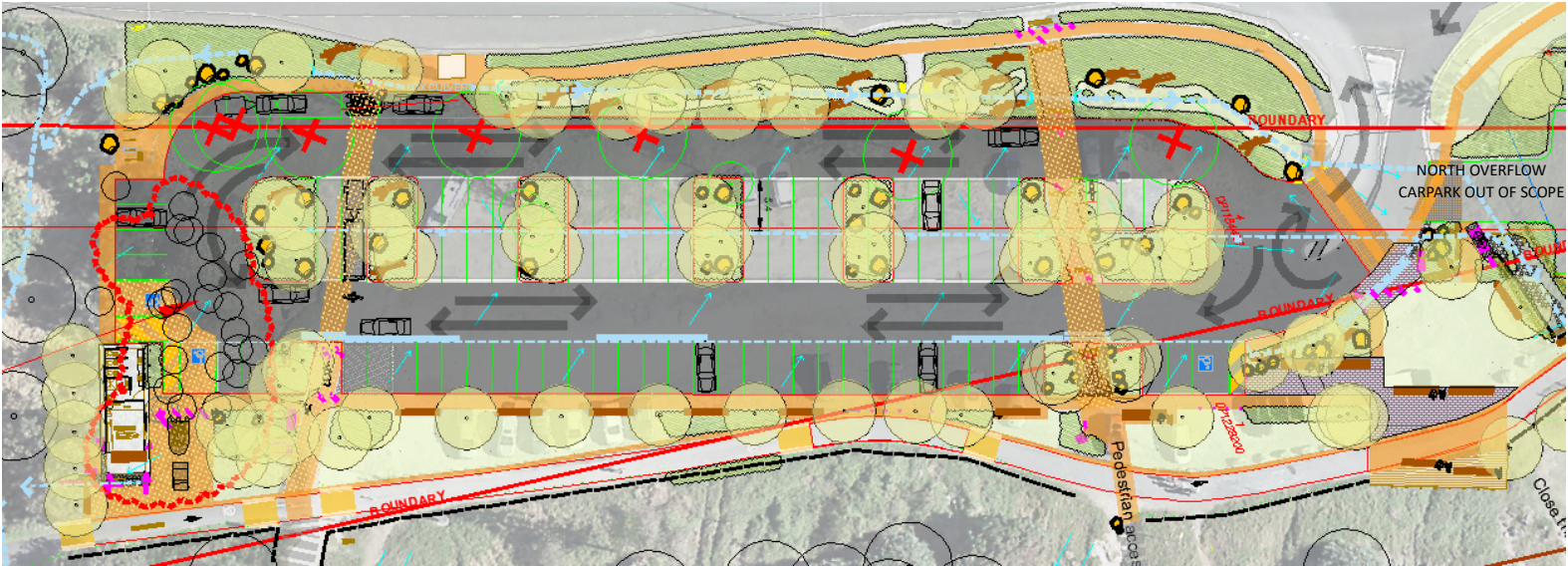


Ballina Shire Council  
40 Cherry Street Ballina NSW 2478  
p 1300 864 444 e: council@ballina.nsw.gov.au

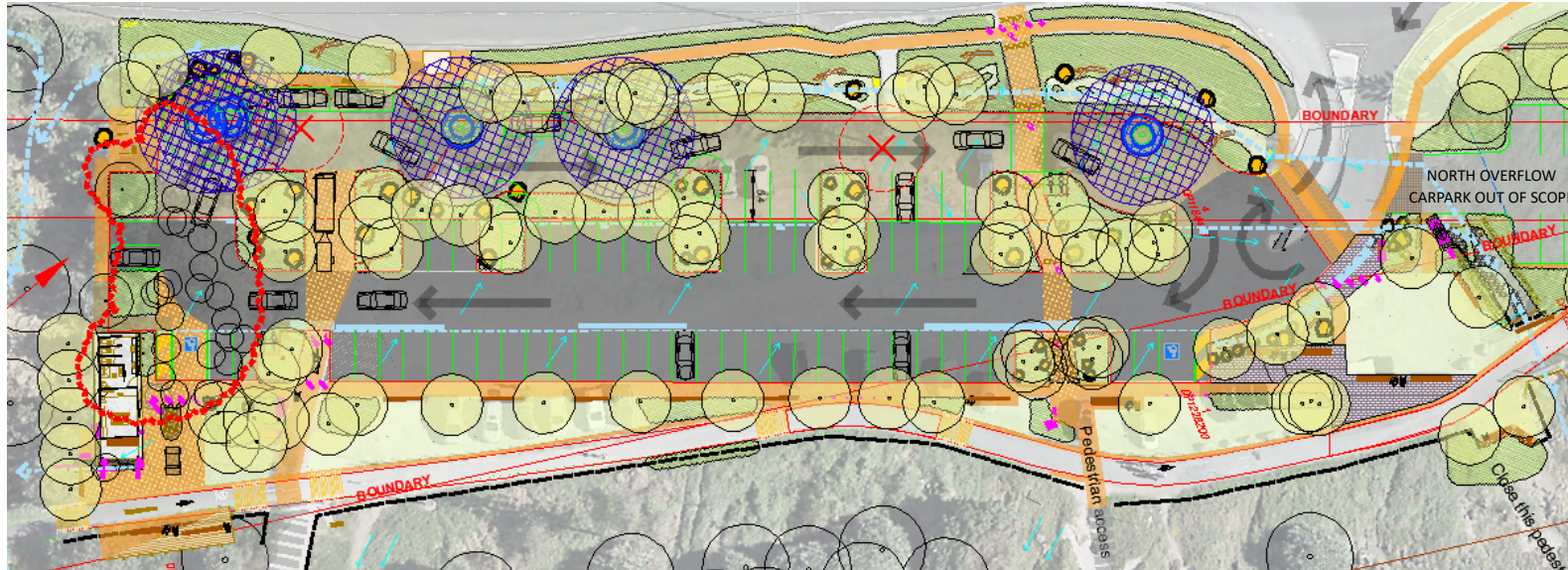
*[ballina.nsw.gov.au](http://ballina.nsw.gov.au)*



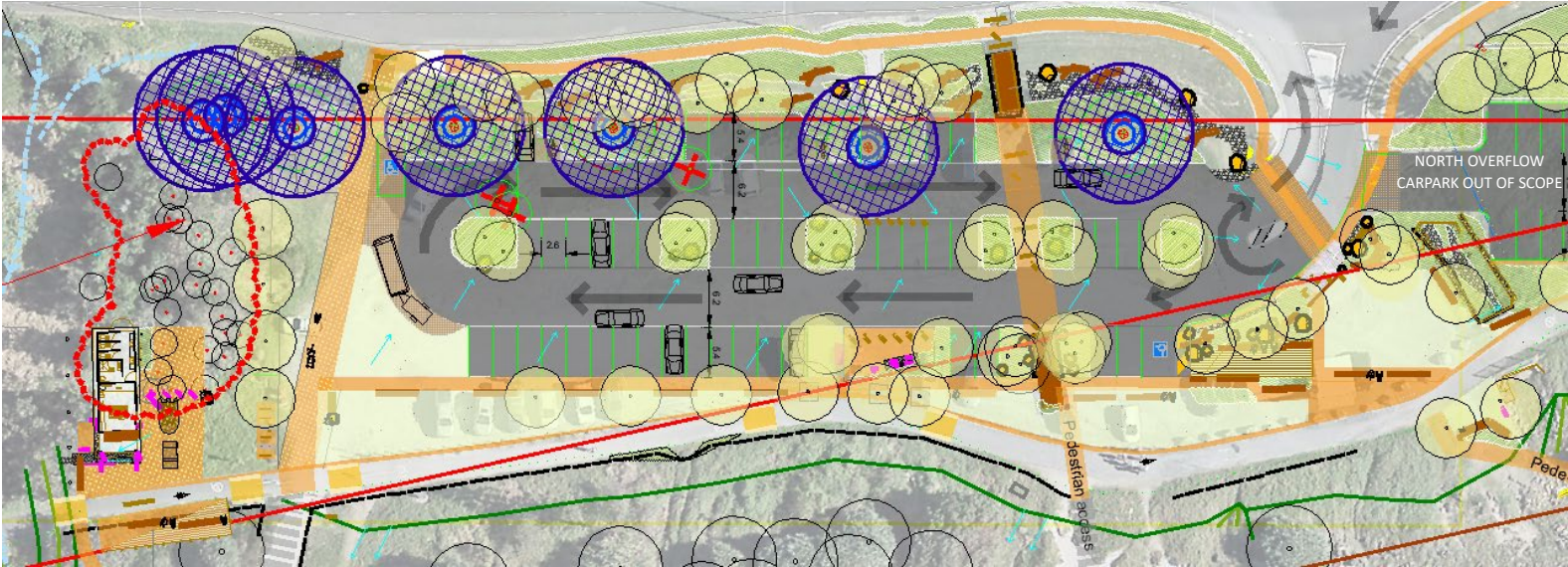
**OPTION 1**



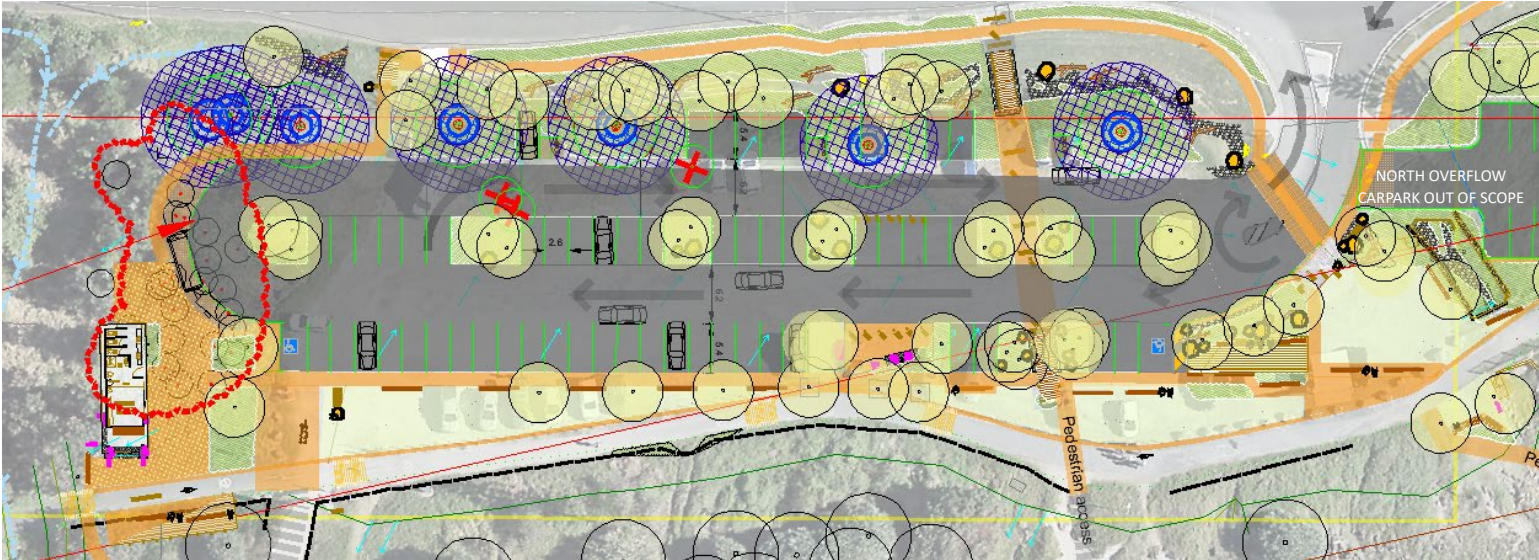
**OPTION 2**



**OPTION 3**



**OPTION 4**





Department of Planning and Environment

Mr Paul Hickey  
General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Our ref: IRF23/2039 (PP-2023-1569)

Via email: [council@ballina.nsw.gov.au](mailto:council@ballina.nsw.gov.au)

Dear Mr Hickey

**Planning proposal PP-2023-1569 to amend Ballina Local Environmental Plan 2012**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) in respect of the planning proposal to rezone the Tuckombil Quarry, Gap Road, Alstonville, to facilitate the use of the site for use as high technology recreational and community purposes.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 1.4 Site Specific Provisions, 4.6 Mine Subsidence and Unstable Land, 5.1 Integrating Land Use and Transport, 9.1 Rural Zones, 9.2 Rural Lands and 9.4 Farmland of State and Regional Significance on the NSW Far North Coast is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act 4.3 Planning for Bushfire Protection, 4.4 Remediation of Contaminated Land and 8.1 Mining, Petroleum Production and Extractive Industries.. Council should ensure this occurs prior to the LEP being made.

I have determined not to authorise Council to be the local plan-making authority as the site is owned and managed by Council.

The amending local environmental plan (LEP) is to be finalised nine months from the date of Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

Northern Region | Noel Park House, 155-157 Marius Street, Tamworth, NSW, 2340 | PO Box 949 Tamworth NSW 2340 | [planning.nsw.gov.au](http://planning.nsw.gov.au)

## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

Should you have any enquiries about this matter, I have arranged for Ella Wilkinson to assist you. Ms Wilkinson can be contacted on 9995 5665.

Yours sincerely



8/8/2023

**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**

Encl: Gateway determination

Northern Region | Noel Park House, 155-157 Marius Street, Tamworth, NSW, 2340 | PO Box 949 Tamworth NSW 2340 | [planning.nsw.gov.au](http://planning.nsw.gov.au)



Department of Planning and Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1569):** to rezone the Tuckombil Quarry (Lot 3 DP 1130300, Lot 22 DP 1243105 and Lot 21 DP 1243105), Gap Road, Alstonville, to facilitate the use of the site for high technology, recreational and community purposes.

I, the Director, Northern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) that an amendment to the Ballina Local Environmental Plan 2012 to rezone the Tuckombil Quarry (Lot 3 DP 1130300, Lot 22 DP 1243105 and Lot 21 DP 1243105), Gap Road, Alstonville to facilitate the use of the site for high technology, recreational and community purposes should proceed subject to the following conditions.

The LEP should be completed six months from the date of Gateway determination.

### Gateway Conditions

1. The planning proposal is to be amended prior to consultation to:
  - (a) update the maps to include a Land Application Map and to display a legend to articulate the controls applied to the land; and
  - (b) update the Preliminary Site Investigation for Contamination Report to address the following matters:
    - include Lot 3 DP 1130300 and provide comment on the suitability of rezoning this site as part of the proposal; and
    - the suitability of the site to accommodate the full range of uses in the zone.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the EP&A Act as follows:
  - (a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 30 **working** days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the EP&A Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - NSW Rural Fire Service

## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

- Transport of NSW
- Biodiversity Conservation Division
- Heritage NSW
- Local Aboriginal Land Council
- DPI – Agriculture
- Natural Resources Access Regulator
- Mining, Exploration and Geoscience
- Environmental Protection Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 40 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 8 day of August 2023.



**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP-2023-1569 (IRF23/2039)





Department of Planning, Housing and Infrastructure

Mr Paul Hickey  
General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Our ref: PP-2023-1569/(IRF24/759)

Via email: council@ballina.nsw.gov.au

Dear Mr Hickey

**Planning proposal PP-2023-1569 – Alteration of Gateway Determination**

I refer to Council's correspondence seeking an extension of time to complete planning proposal PP-2023-1569 to rezone the Tuckombil Quarry, Gap Road, Alstonville, to facilitate the use of the site for high technology, recreational and community purposes.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the Environmental Planning and Assessment Act 1979, to alter the Gateway determination dated 8 August 2023 for PP-2023-1569. The Alteration of Gateway determination is enclosed.

Please note that the amended completion date for the proposal is 8 July 2024 to ensure that it remains consistent with the LEP plan making timeframes under the Department's LEP Plan Making Guideline (August 2023).

Any further minor extension requests will need to be supported by evidence that all outstanding issues have been satisfactorily resolved and accompanied by a timeline detailing the proposal's final steps and completion date.

If you have any questions in relation to this matter, I have arranged for Ms Ella Wilkinson to assist you. Ms Wilkinson can be contacted on 6643 6408.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray'.

26/04/2024

**Jeremy Gray**  
**Director Hunter and Northern Region**  
**Regional Planning and Council Support**

Encl: Alteration of Gateway Determination



Department of Planning, Housing and Infrastructure

## Alteration of Gateway Determination

*Planning proposal (Department Ref: PP-2023-1569)*

I, Director, Northern Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 8 August 2023 for the proposed amendment to the Ballina Local Environmental Plan 2012 as follows:

1. Change part of the description of the planning proposal

**from** The LEP should be completed by 8 May 2024.

**to** The LEP should be completed by 8 July 2024.

Dated 26 day of April 2024.

A handwritten signature in black ink, appearing to read "J. Gray".

**Jeremy Gray**  
Director, Hunter and Northern Region  
Local Planning and Council Support  
Department of Planning, Housing and  
Infrastructure

**Delegate of the Minister for Planning and  
Public Spaces**

PP-2023-1569 (IRF24/759)

stephen  
fletcher  
& associates  
pty ltd

environmental  
planning

The General Manager  
Ballina Shire Council  
PO Box 450  
Ballina NSW 2478

9th January 2024

Attention: Planning Services

**Proposed Community use of Disused Teven Quarry**

I am acting on behalf of the owner of Lot 2 DP 800081 Greenie Drive and Teven Road Alstonville. The property has an area of 5.624 Hectares and is adjacent to the disused quarry.

With regards to the future use of the quarry we consider the best use to be active and passive recreational use such as a sports ground.

In forwarding this submission we note that:

1. The site is in direct vicinity to the Alstonville village
  2. The site is adjacent to active open space being the Alstonville hockey facility. It is most logical to create a combined community recreational and passive open space hub.
- The use of disused quarry for active and passive open space is common and serves as a noise buffer and reduction of light spill (as opposed to recreational facilities upon an open level area.

On behalf of our client we request Council consider this submission and required I am happy to provide additional justification on our preferred use of the disused quarry.

Our client previously held discussions with council staff in respect of a proposal to rezone the land for its count 7(d) buffer zone to residential. Council has acknowledged the suitability of the property for future residential but would not support a rezoning whilst the quarry was operational due to potential noise impact concerns. As the quarry is now formally closed this previous considered impediment is removed.

Accordingly, we will be seeking a meeting with Council staff to discuss the rezoning of the property to residential. In the meantime, please consider this submission in relation to the future development and use of the quarry site.

Yours faithfully



Stephen Fletcher

PO Box 160  
Lennox Head  
NSW 2478

Phone: 0413 314730  
stephen@environplan.com.au  
www.environplan.com.au

## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

**From:** [Ballina Shire Council](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** HermioneJane completed Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning - Task to Rob van Iersel  
**Date:** Friday, 15 December 2023 3:54:48 PM

HermioneJane just submitted the survey Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning with the responses below.

**Your Name**

Dave Rowe

**Phone Number**

██████████

**Your email address**

daveforbes@hushmail.com

**Do you support the rezoning of Tuckombil Quarry?**

No

**If you do not support the rezoning of Tuckombil Quarry, please provide your comments below:**

Tuckombil Quarry Rezoning. I welcome the opportunity to make a submission in relation to the rezoning of council-owned land 540 Gap Road, Alstonville, containing the so called 'disused' Tuckombil quarry: • Lot 22 DP 1243105= 22.96ha • Lot 21 DP 1243105= 1.582 ha • Lot 3 DP 1130300 = 9,161m2 I request Council provide an extension for submissions to the rezoning to at least the end of February 2024 given the busy Christmas Period, substantial materials that need to be read and considered: 1. 50 pages <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272067>; 2. 307 pages <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272070>; 3. 46 pages <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272071>; 4. 40 pages <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272072>; 5. 28 pages <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272073>; 6. 90 pages <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272075> 7. I cannot see Appendix 3 of DA 1995/276.3?? 8. How much money was collected and set aside for rehabilitation under the Flora and Fauna Assessment? 9. I'd like to see the details re rehabilitation that are required please. 10. Document 1 above states at Page 31 of 50: "Even if quarrying activities are no longer to occur, it is a requirement of the existing development consent that the site is to be remediated. This is to ensure that the site is put in a safe and environmentally sound condition. Council currently holds an internal reserve with a cash balance of approximately \$700,000 allocated for the rehabilitation of this site." This statement is inconsistent with council's own document: "Rehabilitation Requirements... Undertaken by J Warren, biological environmental consultant and contained in appendix B, of the environmental impact statement outlines the objectives of the rehabilitation program. The report identifies that revegetation works on the site should concentrate trees that should be endemic rainforest species which will provide food sources and habitat for native fauna. The report also identifies that revegetation efforts should concentrate around existing creek line; however, all unmined areas and mounds are identified for revegetation with native and endemic rainforest species under the original plan". Source: <https://ballina.nsw.gov.au/tuckombil-quarry> I'm concerned, that not many people may be aware that this piece of land will be rezoned and that there is a DA application in place which will effectively overrule/ undermine the rehabilitation requirements required under appendix 3 of DA 1995/276.3. Other countries such as Canada have reused quarries in such a way as to become international draw cards for tourism: <https://www.butchartgardens.com>. I rang council staff yesterday 13 December 2023 and they are unable to track the document down in the short time space and need further time as it would be archived and I need to make a formal request. This I will do after sending you my submission / request for extension of 'have your say' This is an important site in relation to the town of Alstonville and the residence along Gap Rd, Dillons Lane and Eden Valley Drive etc. Other interested groups of course would be the regular users of gap Road for exercise, the Alstonville Scouts, and the regular users of the hockey fields and croquet courts. Fact Check please! Major concern if correct: Item <https://www.yoursayballina.com.au/89871/widgets/420900/documents/272111> Identifies on pages 141, 145, 147 etc of 240. Give evidence of the storage of explosives, Ammonium Nitrate and diesel on site, 200 meters from the built-up town of Alstonville. In addition, this storage borders recreation areas, nearby rural residents, scout hall and activity areas. Also, Ballina Shire council Nursery is 200 meters away. . Ammonium Nitrate, diesel fuel and explosives are of serious concern. Too dangerous to store near Alstonville or any residential area as the following demonstrates: • 2020 Beirut explosion, warnings ignored: <https://youtu.be/1NDhIGR-83w?si=ZEvjN911vBSE8xI2> • Ammonium Nitrate explosion Texas. <https://youtu.be/QOEDeh7L-W0?si=PzJZ5L6Y2ul3RFV9> • Ammonium nitrate was the primary explosive used in the Oklahoma City bombing on April 19, 1995. In conclusion: I came across the opportunity to have 'your say' after reading the Ballina Wave. It was printed at the beginning of the month, and I only received a copy two days ago. I'm concerned about the short time frame and the fact that we only have until today, the 15 December 2023 to make a submission in relation to this very important piece of council property and possible implications for the community. Would you fact check the explosive disclosure please ASAP and advise if our community will receive an extension of time after the immediate concerns are addressed. Your advice of new time frames for submissions is also sought. Regards David Rowe 62 Eden Valley Drive Alstonville, and previous with Alstonville Scouts 465 Gap Road Alstonville.

**I have read and agree with Council's [Privacy Policy](#)**

Yes

**If you would like your submission to be confidential, please provide a reason for confidentiality**

I've requested an extension of time for submissions. And urgent feedback on explosives on site. See above

**Please upload any documents relevant to your submission here**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/2a8b25f9d473b117c33b8ca733e25526d49d1c18/original/1702615961/f241eccc08c9cda07a6fd43f6cf6fe27\\_2023\\_Tuckombil\\_quarry\\_request\\_for\\_extension.docx?1702615961](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/2a8b25f9d473b117c33b8ca733e25526d49d1c18/original/1702615961/f241eccc08c9cda07a6fd43f6cf6fe27_2023_Tuckombil_quarry_request_for_extension.docx?1702615961)

## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

**From:** [Ballina Shire Council](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** GregN completed Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning - Task to Rob van Iersel  
**Date:** Friday, 15 December 2023 10:01:56 AM

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GregN just submitted the survey Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning with the responses below.

**Your Name**

Greg Newson

---

**Phone Number**

██████████

---

**Your email address**

greg@vitalityandwellness.com.au

---

**Do you support the rezoning of Tuckombil Quarry?**

No

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**If you do not support the rezoning of Tuckombil Quarry, please provide your comments below:**

We do not need Ballina Shire turned into a mini Gold Coast. How about rezoning the quarry for the community, planting it out with big scrub trees and creating a picnic area for the residents to enjoy?

---

**I have read and agree with Council's [Privacy Policy](#)**

Yes

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## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

**From:** [Ballina Shire Council](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** Stephen Bocking completed Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning - Task to Rob van Iersel  
**Date:** Tuesday, 12 December 2023 1:24:57 PM

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Stephen Bocking just submitted the survey Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning with the responses below.

**Your Name**

Stephen Bocking

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**Phone Number**

██████████

---

**Your email address**

stephenbocking66@gmail.com

---

**Do you support the rezoning of Tuckombil Quarry?**

Yes

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**I have read and agree with Council's [Privacy Policy](#)**

Yes

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## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

**From:** [Ballina Shire Council](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** Maureen completed Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning - Task to Rob van Iersel  
**Date:** Tuesday, 12 December 2023 11:30:37 AM

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Maureen just submitted the survey Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning with the responses below.

**Your Name**

Maureen McDermott

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**Phone Number**

██████████

---

**Your email address**

maurmc@y7mail.com

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**Do you support the rezoning of Tuckombil Quarry?**

Yes

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**I have read and agree with Council's [Privacy Policy](#)**

Yes

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## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

**From:** [Ballina Shire Council](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** Ochreland completed Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning - Task to Rob van Iersel  
**Date:** Tuesday, 12 December 2023 7:11:45 AM

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Ochreland just submitted the survey Feedback - BSCPP 22/006 - Tuckombil Quarry Rezoning with the responses below.

**Your Name**

Sophie Morris

---

**Phone Number**

██████████

---

**Your email address**

ochreland1989@outlook.com

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**Do you support the rezoning of Tuckombil Quarry?**

Yes

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**I have read and agree with Council's [Privacy Policy](#)**

Yes

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## 8.4 Planning Proposal - Tuckombil Quarry Alstonville - Finalisation

**From:** [Ballina Shire Council](#)  
**To:** [Abdul Salam Almesri](#)  
**Subject:** [Abdul Salam Almesri - BSCP 22/006 - Tuckombil Quarry Rezoning - Task to Ask and Answer](#)  
**Date:** Friday, 1 December 2023 9:37:52 PM

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Abmesri just submitted the survey Feedback - BSCP 22/006 - Tuckombil Quarry Rezoning with the responses below.

**Your Name**  
ABDULSALAM Hadi Ahmed Almesri

---

**Phone Number**  
[REDACTED]

---

**Your email address**  
abulazalmesri@gmail.com

---

**Do you support the rezoning of Tuckombil Quarry?**  
Yes

---

**I have read and agree with Council's [Privacy Policy](#)**  
Yes

---

**Please upload any documents relevant to your submission here**  
[REDACTED]



abn: 56 291 496 553  
6 Porter Street, Byron Bay, NSW, 2481  
PO Box 538, Lennox Head, NSW, 2478  
Bundjalung Country  
Telephone: 1300 66 00 87

25 April 2024

Our reference: 1866.4639

The General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Dear Sir

**RE: Pre-ldgment consultation for the proposed gymnasium at Racecourse Road, Ballina prior to the formal submission of a Planning Proposal**

**1. Introduction**

This section introduces the proposal.

**1.1. The proponent's details**

The proponent is Mr John Reynolds of JR Commercial Property Holdings Pty Ltd. Mr Reynolds is an experienced gymnasium operator and has gymnasium premises in other parts of eastern Australia.

**1.2. Site location**

The land subject of the amendment request is Lot 1 DP 812651, located at 34 Racecourse Road, Ballina.

The land has an area of 3,604m<sup>2</sup>. As shown in **Plan 1**, the site contains a main building located toward the Racecourse Drive frontage, which appears to have been originally constructed as stables but is now used as a residential dwelling, as well as a number of outbuildings.

A 5m wide right-of-carriageway exists along the northern property boundary, connecting the lot and the two lots adjoining to the west to the racecourse land immediately to the east.

The property is zoned RU2 Rural Landscape under Ballina LEP 2012. The racecourse property to the east is zoned RE1 Public Recreation, while the properties on the southern side of Racecourse Road, directly opposite the subject property, are zoned IN1 General Industrial.

The immediate locality consists of various equine-related uses, including stables, veterinary facilities, and the like, as well as several dwelling houses.

The Ballina Jockey Club and racecourse adjoins the property to the east, with the wider Southern Cross Industrial estate located to the west.

**1.3. A simple description of the scope of the proposal amendments**

The proposed Planning Proposal will seek to amend the Ballina Local Environmental Plan 2012 to permit a gymnasium use of the land.





0 20 m

1:600 @ A4

SOURCE:  
Aerial Photo: Nearmap 03/10/2021

DISCLAIMER:  
No warranty is given in relation to the data (including accuracy, reliability, completeness, currency or suitability) and no liability is accepted (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.



 Subject Site

34 Racecourse Rd Ballina

**Aerial Photo**

File: 34RacecourseRdBallina\_Fig1\_AerialPhoto\_202003

1.4. Background and context

On 24 December 2021, we submitted a Planning Proposal to Council on behalf of the landowner JR Commercial Property Holdings Pty Ltd, seeking an amendment to Council's LEP to permit a gymnasium use. That Planning Proposal was reported to the Council at its meeting on 23 February 2023. The Planning Proposal was recommended for support, but the Council having regard to submissions received from Ballina Jockey Club Limited, resolved to discontinue the Planning Proposal process. Since then Council has completed a strategic review of land in the Local Government Area suitable for rezoning for commercial and light industrial purposes. The subject site is a SUGA area and has recently been re-confirmed by Ballina Shire Council as strategically important for future industrial use.

Racing NSW has acquired the land immediately westward of the subject site and made an uncommercial offer to JR Commercial Property Holdings Pty Ltd to acquire the subject land.

Given the reinforcement of Council's strategic urban growth initiatives for the locality and the lack of a commercial purchase offer from Racing NSW this matter is now resubmitted for Council's consideration.

**2. The proposal**

This section provides an overview of the proposal.

2.1. The proposed concept

The gymnasium, as proposed, would operate to teach and practice gymnastics rather than as a fitness gym. In planning terms, such a use is defined as a "recreation facility (indoor)".

2.2. Proposed land uses and activities that would be carried out

A Planning Proposal to advance the proposed change would likely involve amending Schedule 1 of Ballina LEP by adding the following item (or similar):

**13 Use of certain land at 34 Racecourse Road, Ballina**

*(1) This clause applies to land at 34 Racecourse Road, Ballina, being Lot 1 DP 812651 and identified as "Area N" on the Additional Permitted Uses Map.*

*(2) Development for the purposes of a recreation facility (indoor) is permitted with development consent.*

The planning proposal will also amend the Additional Permitted Uses Map to identify the subject property as "Area N".

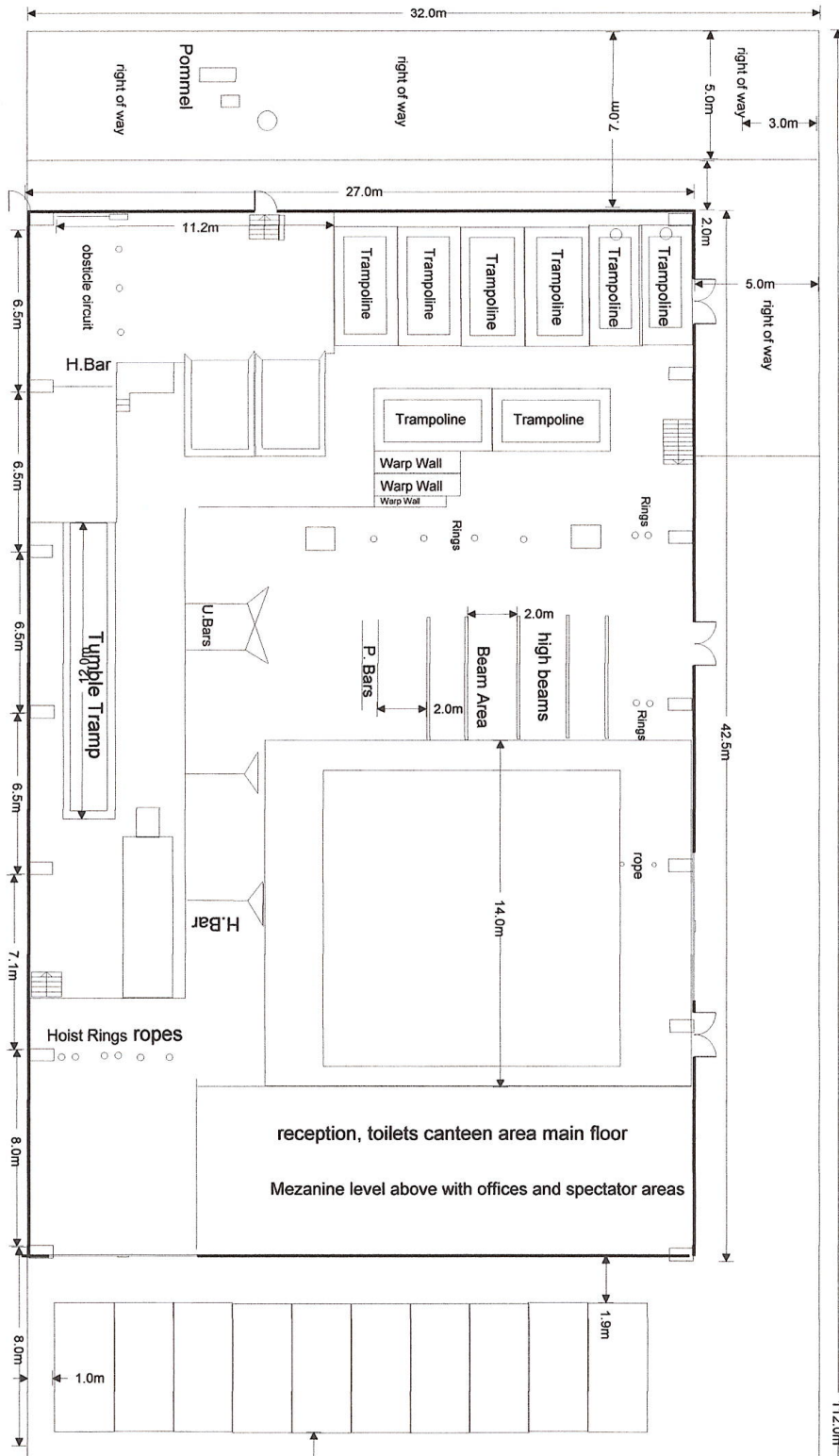
2.3. The likely timing of the delivery of the proposal

The proponent is keen to progress the delivery of a new gymnasium as quickly as the planning system can facilitate.

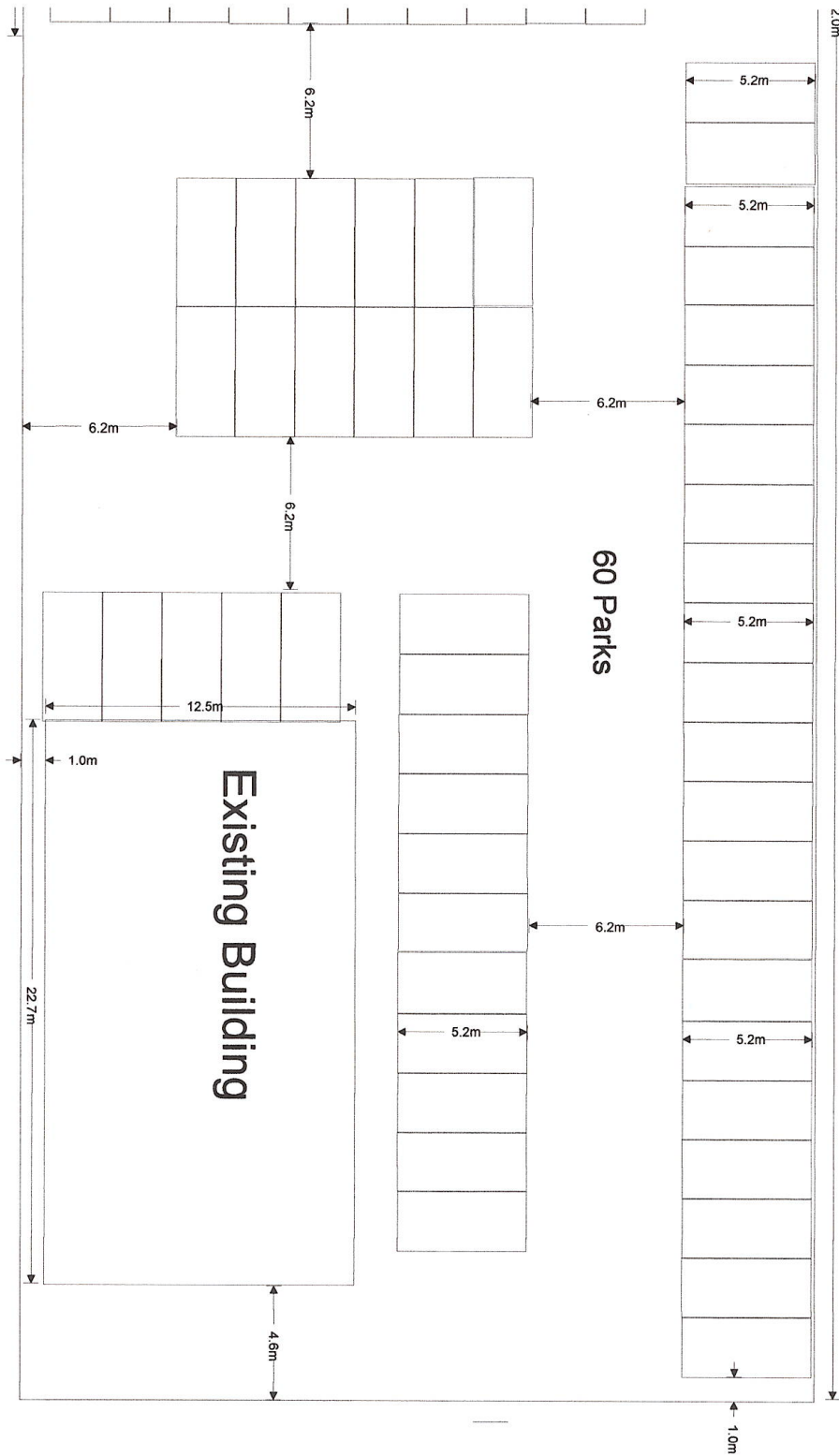
2.4. Envisaged services and infrastructure that are or will be available to meet the demands arising from the proposal

It is not envisaged that any services or infrastructure will need to be augmented to meet the needs of the development.

8.5 LEP Amendment Request - 34 Racecourse Road, Ballina



8.5 LEP Amendment Request - 34 Racecourse Road, Ballina



2.5. High level proposed funding arrangements for infrastructure provision

No special infrastructure provision is required.

2.6. Provide details on the principles or amendment to an existing contribution plan or new contribution plan

No new contribution plan or the like would be required to service the needs of this project.

**3. Strategic Merit**

This section provides a short statement to identify how the proposal aligns with the strategic framework that applies to the proposal site.

3.1. Region strategic planning

The North Coast Regional Environmental Plan 2041 (NCREP 2041) identifies the site as part of an Investigation Area – Employment Lands.

3.2. Council's Local Strategic Planning

The subject locality is part of a precinct that has been identified for future urban development. Development of the gymnasium as proposed is consistent with the likely longer-term land uses envisaged for the area.

**4. Site-specific considerations**

This section identifies key site-specific issues that are likely to be relevant to the assessment and evaluation of the proposal.

4.1. Locality Consideration

The Ballina Jockey Club and racecourse adjoins the property to the east, with the wider Southern Cross Industrial estate located to the west.

For the earlier Planning Proposal, the Ballina Jockey Club expressed their concerns about the proposal, citing:

- safety concerns associated with increased traffic.
- concerns around noise impacting horses in their stables and other users.
- a lack of on-street parking in Racecourse Road.
- concerns that filling of the land would exacerbate the flood vulnerability of their property.
- concern that any loss of traditional equine properties will have a major economic impact on the Jockey Club's operations.

While a gymnastic facility is not directly consistent with the equine-related uses in the immediate area, an objective assessment indicates that the use is unlikely to have significant conflicts between local uses.

Use of the gym is unlikely to generate significant noise levels outside the building. Traffic numbers will depend on the number, frequency, and popularity of classes, but the local road network is designed and constructed to cater for an industrial estate, and therefore has sufficient capacity to cater for anticipated traffic levels.

The likelihood of peak use of the gym coinciding with arrival or departure times for a race meeting would seem to be low. The Ballina Jockey Club website indicates that there are around 17 race meetings per year, and it is expected that each event would generate peak traffic movements at the start and finish of each event.

It would be relatively easy for the operator of the gym facility to arrange start and finish times for their peak use to avoid conflict with race days.

The proposed usage will be for junior gymnastics with a maximum of 150 pupils and the operation will align more closely to a dance studio than a traditional gym.



Applying the car parking rates within Council's DCP for a dance studio with 150 pupils, suggests the need for 50 on-site parking spaces. The proposal provides for 60 spaces within the site, which can be configured to provide an easy internal drop-off / pick-up spot to allow parents to drop off children without stopping in the street.

The existing 5.0m wide access easement along the rear of the property will remain in place and unimpeded, allowing continued access between nearby stables and the adjoining racecourse.

A flood impact assessment has been undertaken by consultants on behalf of Council. The assessment concludes that the development of the site as proposed, including the filling of the land, will not result in significant flood impacts to other properties or areas outside of the site.

A preliminary site contamination assessment was also undertaken, demonstrating that there is a low risk of soil contamination.

The proposal is not considered to be at odds with the traditional equine use of the locality, and accordingly, the assertion that the proposal will result in a major economic impact seems to be lacking in foundation.

**5. Environmental Planning Considerations**

Documentation which has been completed for the subject site and reviewed by Council staff includes:

- Preliminary Flood Assessment completed by GeoLINK
- Detailed Flood Assessment completed by BMT
- Traffic and Parking Assessment completed by GeoLINK
- Preliminary Contamination Assessment completed by PLANNERS NORTH.

**6. Discussion Points**

This section outlines particular scoping issues that need to be discussed with the Council, Department, State agencies or Authorities.

Given the reinforcement of Council's strategic urban growth initiatives for the locality and the lack of commercial acquisition offer by Racing NSW in relation to the potential purchase of the subject site, this matter is now resubmitted for Council's consideration. We would appreciate the opportunity to discuss this matter further with Council officers and if Council considers it necessary, The Department, as well as relevant State agencies and authorities.

The proponent aspires to the formal lodgement of a Planning proposal in early June 2024. Accordingly, we would appreciate the Council's best endeavours in responding to this scoping request at your earliest convenience.

Yours faithfully,

**PLANNERS NORTH**



**Stephen Connelly RPIA (Fellow)**

PARTNERSHIP PRINCIPAL

(m) 0419 237 982

(e) [steve@plannersnorth.com.au](mailto:steve@plannersnorth.com.au)





**Email from Matthew Bertram, General Manager, Ballina Jockey Club and Function Centre, 30 May 2024**

**From:** Matthew Bertram  
**Sent:** Thursday, May 30, 2024 9:40 AM  
**To:** Klaus Kerzinger  
**Subject:** RE: Planning Proposal 34 Racecourse Road Ballina

Hi Klaus

As discussed, please feel free to use all previous communication between myself (on behalf of the Ballina Jockey Club) and the Ballina Shire Council.

Please note that our position as an organisation has not changed. However, there has been some changes that I feel is relevant to any report you may prepare, and they are.

- That the property known as 22-32 Racecourse Road, Ballina NSW 2478, which shares a boundary with 34 Racecourse Road, Ballina NSW 2478 was recently purchased by Racing NSW.
- The Ballina Jockey Club recently received significant funding (\$1.3m) from Racing NSW for infrastructure upgrades.
- The Ballina Jockey Club recently made a significant commencement of a DA that we had in the system (BSC reference: DA 2016/378)

Therefore, these changes strengthen the commitment that Racing NSW and the Ballina Jockey Club has towards the local racing industry, and the future developments and economic growth relating to the racing industry locally.

The property at 34 Racecourse Road Ballina NSW 2478 is not a random property on racecourse road, it is a property that shares a border with the Ballina racecourse, it also shares a border with a property that is owned by Racing NSW. And it is just one of 4 lots in a row adjacent to the racecourse (all with a common easement) for horse movements. For all intents and purposes, the property in question is designed to be a part of the local equine industry. Any other use (especially something that creates noise and movement) isn't suited to the location.

Sincerely,

Matthew Bertram  
General Manager  
Ballina Jockey Club and Function Centre



Email from Matthew Bertram, General Manager, Ballina Jockey Club and Function Centre, 22 February 2023

**From:** Matthew Bertram - Ballina Jockey club  
**Sent:** Wednesday, February 22, 2023 12:05 PM  
**To:** Councillors  
**Subject:** Agenda, ordinary meeting 23 Feb 2023.

Dear Ballina Shire Councillors,

If I could turn your attention to tomorrow's agenda 8.5 item 22/001 pages 56-62.  
LEP Amendment request of 34 Racecourse Road Ballina NSW 2478.

I have previously written to the Ballina Shire Council on this matter (8/8/2022 p265 of the attachments) outlining some concerns around safety, car parking, economic downturn, and flood impacts, all of which remain a major concern. However, what I would also like to do is to provide a short response to the report itself, which I have found to have some inaccuracies, which I expect are due to a lack of understanding of the day-to-day operations of the racing industry.

- The Thoroughbred racing industry in Australia supports hundreds of thousands of people and is worth billions in economic activity.
- The racing industry is self-sufficient, and it provides significant government revenue.
- Locally the Ballina Jockey Club is a community-based organisation that has been operating in one form or another since 1895.

The Report describes the property currently as having a residential dwelling with a number of outbuildings. A more detailed description would be that the out-buildings are stables and day yards, and the main building is a small office which sits in the front section of a larger stable. The property is currently tenanted by a local horse trainer and the current use of the property is for horse stabling, training, and racing.

The report states that the Ballina racecourse adjoins the property to the east, with the wider Southern Cross Industrial Estate located to the west. What I

would advise is that the eastern boundary is in fact a stable complex and tie-up stalls, the western boundary is also a stable complex, the properties adjacent that property are also stable complexes, and the northern boundary is being used as an agistment property. The southern boundary is Racecourse Road, directly across from number 34 is the racecourse road vet, which sits in between 2 working stable properties, plus there are more working stables behind the racecourse road vet.

The point I would like you to understand is that 34 Racecourse Road is in the absolute centre of the Ballina racecourse precinct, and there are horses currently living and working on all sides of this property.

I would also challenge some of the assumptions made in relation to conflict, noise, and operations.

- The report states that changing the LEP will “unlikely” result in significant conflicts.
- That there is “unlikely” to be significant noise.
- That the new users had to only be concerned with the 17 race meetings held at Ballina annually.
- That it would be relatively easy for a gym to arrange start & finish times to avoid a clash.
- That the proposal will be for Jnr gymnastics (for up to 150 kids & 50 cars) then it states that the proponent suggests it might be more ‘dance studio’ then gym.

With all due respect, I think this is where it is obvious to me the report misses pertinent information relating to the operations of both the local and wider racing industry.

**Please note that Ballina is a regional training centre and horses train 7 days per week.** There are horse movements 365 days a year, up and down Racecourse Road and they move multiple times per day. I would conclude that conflict between existing & new users, will certainly occur.

The reference that noise will not be an issue is also a concern, given the reference above indicates that this in fact is more like a Dance Studio then gym. Please note that Noise and horses simply don’t mix and to be blunt, this is a dangerous combination.

Just to add to that point, please note that the horse industry is highly regulated, including the need to license and train staff who handle horses.

There are also rules and regulations around how a horse can be exercised, even walked and what must be worn by the rider or handler and all those steps take into account a safety element as priority. Adding children, music, cars and loud unexpected noise and movement is highly compromising to safety.

Furthermore, the image of a dance studio big enough to accommodate 150 kids + 50 car spaces simply doesn't make any sense to me. I can't understand how there is enough space available on the site to accommodate such a design. Especially when you have to factor in the easement at the north end of the site. Car parking would be essential given the dangers associated with moving horses (back and forth) past this property, multiple times per day and parking on racecourse road is already a major issue.

During the 2022 floods, the Eastern end of Racecourse Road was inundated with flood waters, including the area in and around the property in question. Having just number 34 Racecourse Road raised over and above all other properties may have an insignificant negative impact on all other users, given the land size we're dealing with is only 3604 sqm.

However, it should be noted that the collective area of the 5 adjoining lots (seen in green in the diagram provided in the report page 60 agenda) is in fact 79,305 sqm, therefore in theory if all these properties are eventually raised to a specific height requirement, surely then that size area will have a significant negative impact on all other properties on Racecourse Road, most notably the racecourse itself, as well as the surrounding wetlands and properties that run along the Southern side of Racecourse road.

It is also apparent to me that this flood modelling by BMT does not include data from the 2022 flood, nor is it site specific. I find that this modelling offers no clear picture of what impact a favourable decision on this submission might look like in the future.

I note the reference to the Rural Zoning and the term Strategic urban growth that covers the 5 lots (as seen in green on the photo enclosed page 60 of the agenda) of which this property in question is part thereof. As advised collectively the 5 lots which make up an area of 79,305 sqm, which are now and have always been (post-colonial) used as part of the local racing industry. Given our 128-year history, I would argue the best strategic direction of these lands should be to remain part of the thoroughbred racing industry. I would

point out that any jobs created by the new business will be at the expense of existing jobs held within an established long-term industry.

This strategic direction would be counterproductive to the existing equine industry (due to the loss of stables) and it would result in the loss of potential future investment locally from Racing NSW, the NSW State Government and Crown Lands.

I would seek more discussion around strategic planning in respect to this decision. If there is a need to improve leisure activities and improve health for youth as referenced in this report, surely there is a far better strategic location then slotted in the middle of an established 128-year-old racecourse precinct.

Finally, in my opinion there is no reasonable argument to be made for granting this proposal. But opening this gateway would have significant economic and social impacts on the Ballina Jockey Club and our participants.

The change would alter the course of a major portion of our revenue and ultimately result in job losses and business closures, along with the health and wellbeing of those users. The site itself would be dangerous to current and future users and it would have a major negative impact on the balance of the property owners and users within the racecourse precinct, along with the local environment, eco systems and wetlands.

I would respectfully request you find against the recommendations.

Kind regards,

Matthew Bertram  
General Manager  
Ballina Jockey Club and Function Centre



Letter from Ballina Jockey Club and Function Centre 8 August 2022



## Ballina Jockey Club and Function Centre

8<sup>th</sup> August 2022

Mr Paul Hickey  
General Manager, Ballina Shire Council  
40 Cherry Street, Ballina NSW 2478

Dear Paul,


**Re : Ballina Shire Council Ordinary Meeting, LEP Amendments and Planning Proposals, Item 22/001, 34 Racecourse Road Ballina NSW 2478.**

On behalf of the Ballina Jockey Club Board of Directors, our members, and our participants can I please draw your attention to an item that was tabled within the Council papers dated 23 June 2022; that being a proposal to amend the BLEP 2012 to permit a gymnastics focused facility at 34 Racecourse Road Ballina NSW 2478.

The Ballina Jockey Club (BJC) has concerns regarding this proposal, notably that this proposed change will compromise the safety of the existing users, the proposed new users and of course the horses themselves. The BJC places as its highest priority the safety of our participants and horses in our precinct.

- (a) A change to the existing use will create added noise, as well as added people and traffic movement and activities, given the existing use of the racecourse precinct, this proposal would be highly unusual for the street, and it is a major safety concern.
- (b) Our property (36 Racecourse Road, Ballina NSW 2478) currently has a horse stable which directly borders the property in question. A change such as this proposal, would therefore create safety concerns for our existing users/tenants, their staff and especially the horses that are housed within our accommodation, just metres away.
- (c) There is a shared access via an easement that runs directly behind all properties on the northern side of Racecourse Road (including 34 Racecourse Road property) any change to the existing use could have a detrimental impact on the other users of this easement.
- (d) Parking along Racecourse Road is limited and an increase in demand for space will also compromise safety to horse, rider and or handler, as well as the public who are unlikely to be horse conscious.
- (e) We are very concerned that any change to the levels of other properties along Racecourse Road will have further detrimental impacts on our flood vulnerability.
- (f) Any loss of traditional equine properties will have a major economic impact on our operations.

The Ballina Racecourse has been operating in one form or another well before it was formerly recognised as a Dedicated Racecourse on 9 July 1895. In our official 127 years, the Club and our participants have provided the Ballina district with a form of economic growth and prosperity, as well as a valued community asset. Put simply, this proposal presents a very real risk of that continuing.

  
Matthew Bertram  
General Manager, Ballina Jockey Club

**Recommendations to Item 8.6 of Councils Ordinary Meeting on 23 February 2023 as amended by yellow highlight section.**

**RECOMMENDATIONS**

1. That Council endorses, for Gateway determination, the amendments to Ballina Local Environmental Plan 2012 outlined in the planning proposal contained in Attachment 1 (BSCPP 22/001) to Item 8.6 of Councils Ordinary meeting on 23 February 2023.
2. That Council submits the planning proposal to the NSW Department of Planning and Environment for review and Gateway determination.
3. That upon an affirmative Gateway determination being received from the Department of Planning and Environment, the procedural steps associated with progression of the planning proposal, including public exhibition, be undertaken.
4. That the Department of Planning and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.
5. That Council receive a further report on the proposal following the completion of the public exhibition of the planning proposal



**EV Charging Site Candidates**  
Survey Report — Ballina Shire Council





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## Introduction

The survey and review are done by EVX site selection team on September 2023. We put pole condition/space, location, parking permit, footpath, etc. into consideration and select total 8 candidates for Ballina Shire Council. Our preference based on accessibility, installation complexity, community engagement and potential utilization. **There is 2 candidates we highlighted in the list:** 44 Cherry St, Ballina 2478, and 1 Ross St, Lennox Head 2478.

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## EVX POLECHARGER FEATURES

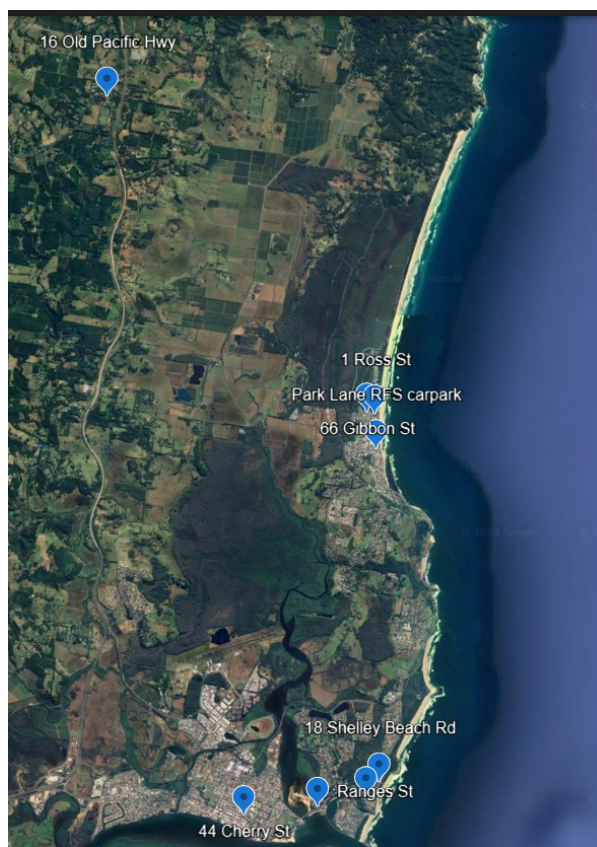


- Fully support OCPP1.6
- OCPP2.0 on road map
- Dynamic load management with/without external meter
- Static load management
- Support 4G IoT, host other IoT terminals
- Able to upgrade to 5G
- Wifi hotspot capable
- Support Offline mode
- Ethernet sockets
- RFID reader
- Reservation for 15-30 mins
- Charging history review
- Support Idle fee for overstay while plug-in
- Protect Earth monitoring
- Socket with shutter for child safety
- Short-circuit protection
- Overload protection
- Overheat protection
- Emergency opener
- Built-in Residual current device
- Flexible Pricing: Time of Day, Fix pricing, Free charging, Voucher
- Reporting
- Realtime monitor
- OTA upgrade



### CANDIDATE LIST

No.	Area	Street Address	Position	Preference
1	East Ballina	2 Grandview St, East Ballina 2478	Kerbside	2
2	East Ballina	18 Shelley Beach Rd, East Ballina 2478	Kerbside	2
3	East Ballina	Ranges St, Shaws Bay, East Ballina 2478	Kerbside	2
4	Ballina	44 Cherry St, Ballina 2478	Kerbside	1
5	Lennox Head	1 Ross St, Lennox Head 2478	Kerbside	1
6	Lennox Head	66 Gibbon St, Lennox Head 2478	Kerbside	3
7	Lennox Head	Park Lane RFS carpark, Lennox Head 2478	Kerbside	3
8	Newrybar	16 Old Pacific Hwy, Newrybar 2479	Kerbside	2



## SITE SURVEYS

### 1) 2 Grandview St, East Ballina

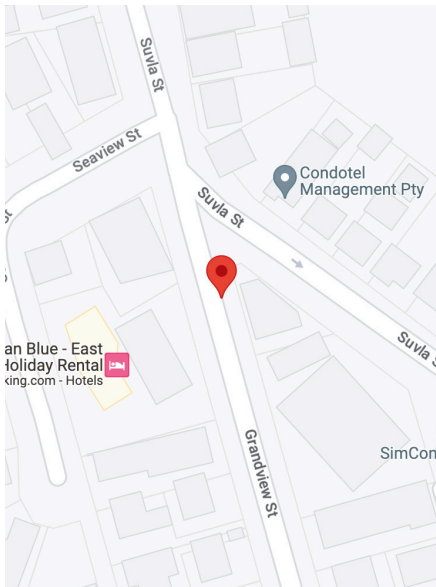
Street details	2 Grandview St, East Ballina 2478
Coordinate	-28.8649260, 153.5908340
Pole number	6507

#### SITE PHOTOGRAPHS





**MORE SITE PHOTOGRAPHS**





## SITE SURVEYS

### 2) 18 Shelley Beach Rd, East Ballina

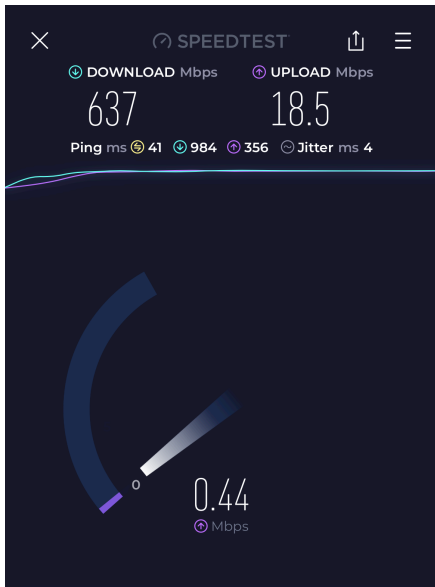
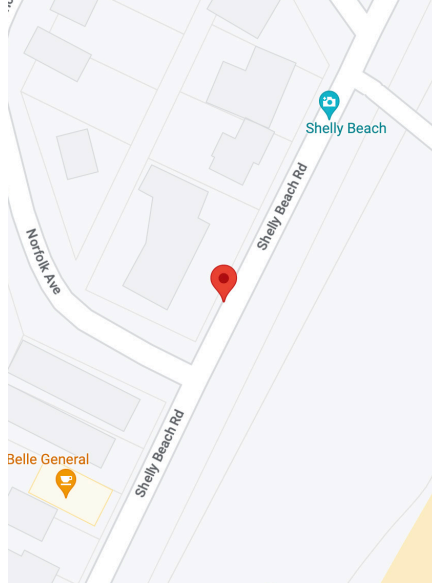
Street details	18 Shelley Beach Rd, East Ballina 2478
Coordinate	-28.8620802, 153.5939100
Pole number	6603

#### SITE PHOTOGRAPHS





MORE SITE PHOTOGRAPHS







## SITE SURVEYS

### 3) Range St, Shaws Bay, East Ballina

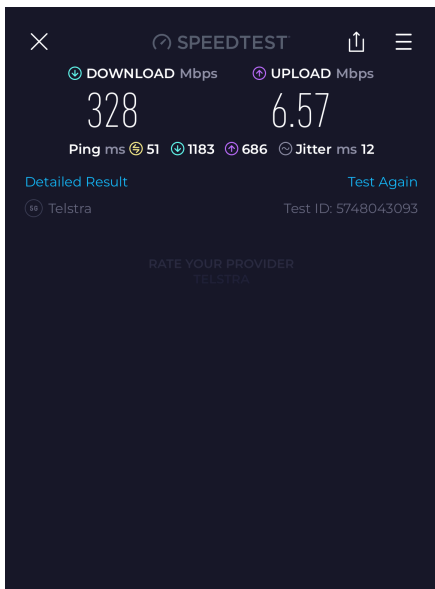
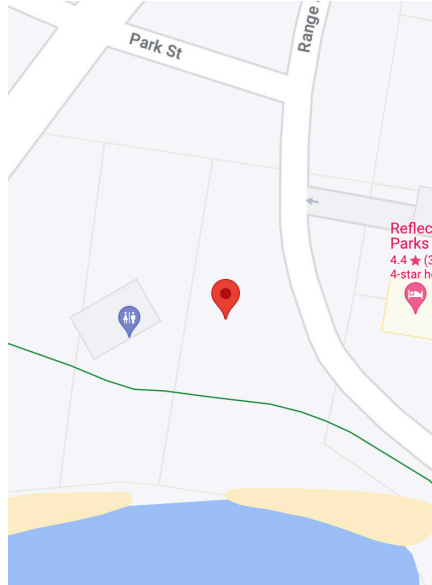
Street details	Ranges St, Shaws Bay, East Ballina 2478
Coordinate	-28.8671372, 153.5794717
Pole number	6230

#### SITE PHOTOGRAPHS





**MORE SITE PHOTOGRAPHS**





## SITE SURVEYS

### 4) 44 Cherry St, Ballina

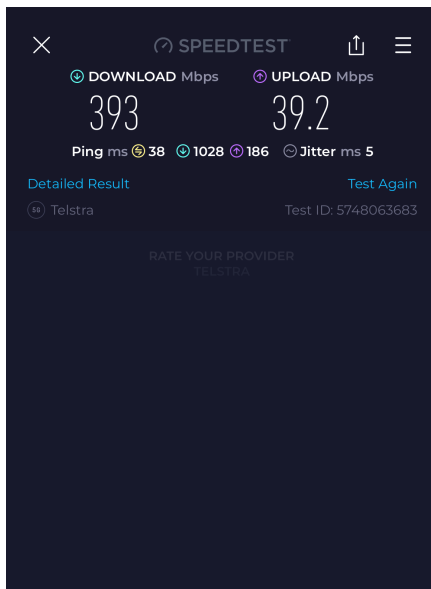
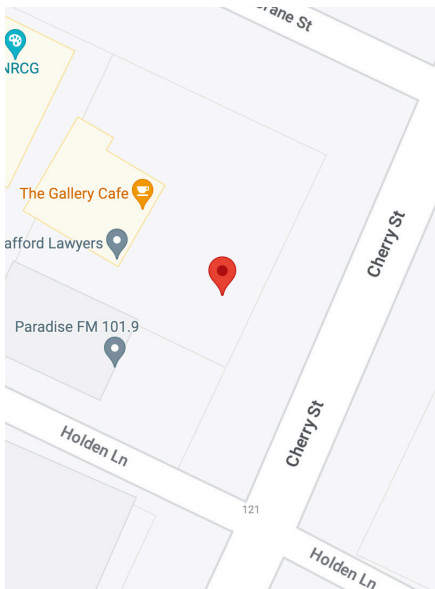
Street details	44 Cherry St, Ballina 2478
Coordinate	-28.8688510, 153.5621760
Pole number	5307

#### SITE PHOTOGRAPHS





MORE SITE PHOTOGRAPHS





## SITE SURVEYS

### 5) 1 Ross St, Lennox Head 2478

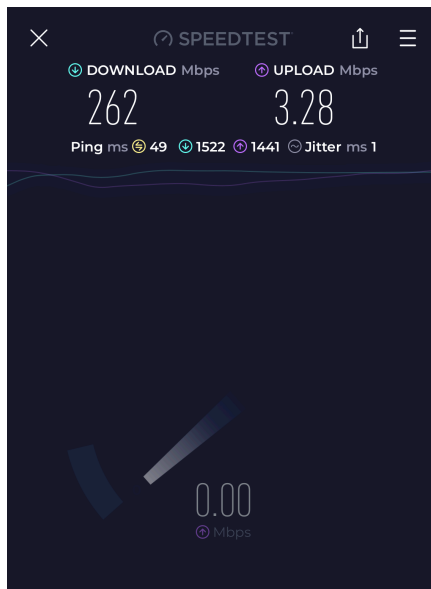
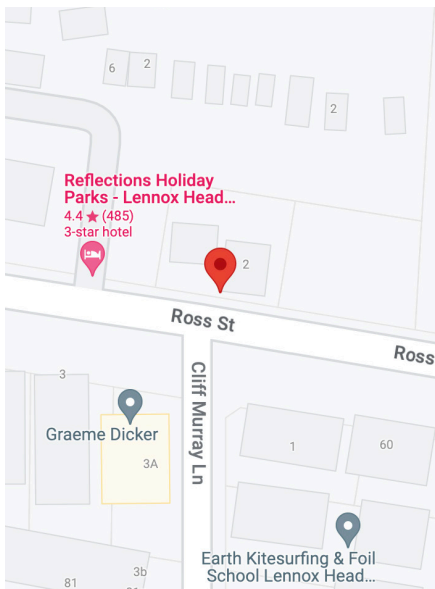
Street details	1 Ross St, Lennox Head 2478
Coordinate	-28.7864311, 153.5928475
Pole number	22628

#### SITE PHOTOGRAPHS





MORE SITE PHOTOGRAPHS





## SITE SURVEYS

### 6) 66 Gibbon St, Lennox Head

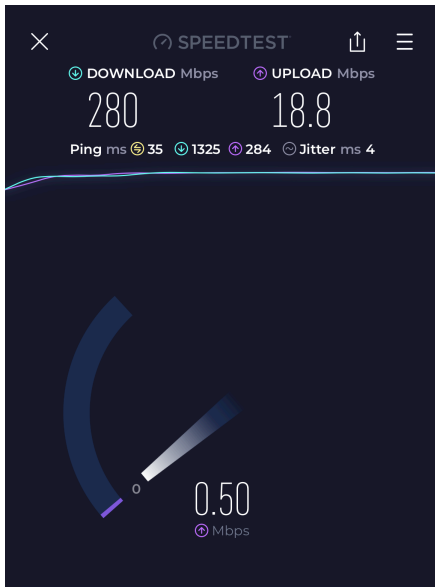
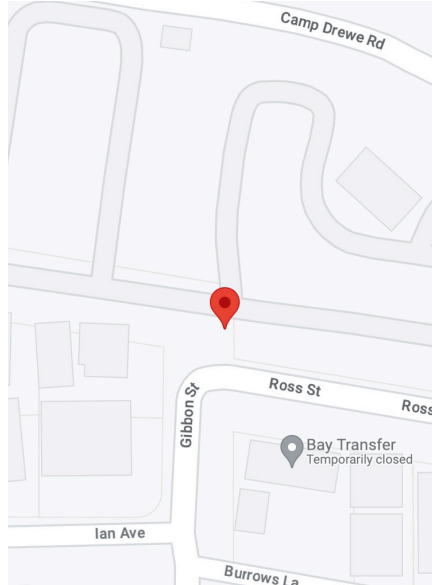
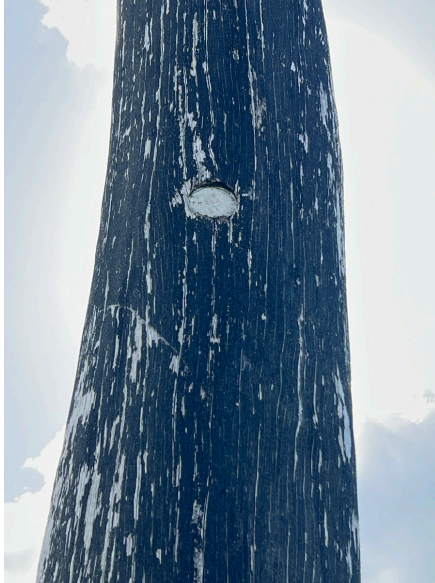
Street details	66 Gibbon St, Lennox Head 2478
Coordinate	-28.7861074, 153.5910448
Pole number	LVL36437

#### SITE PHOTOGRAPHS





MORE SITE PHOTOGRAPHS





## SITE SURVEYS

### 7) Park Lane RFS carpark, Lennox Head

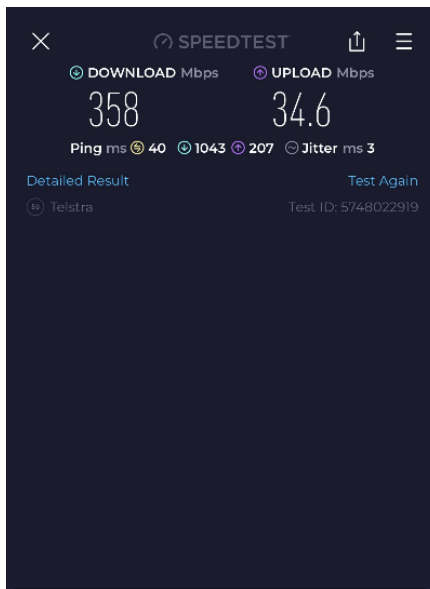
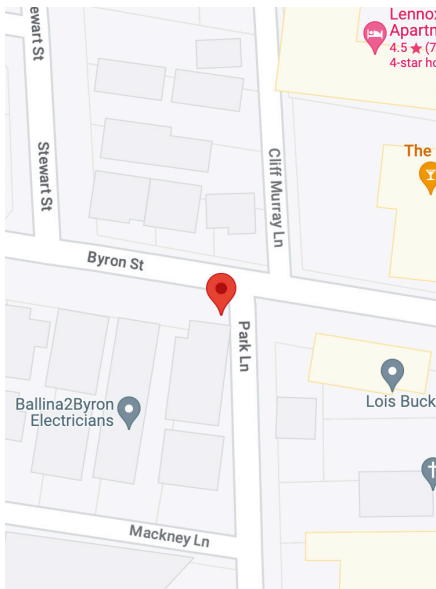
Street details	Park Lane RFS carpark, Lennox Head 2478
Coordinate	-28.7936280, 153.5931706
Pole number	22536

#### SITE PHOTOGRAPHS





**MORE SITE PHOTOGRAPHS**





## SITE SURVEYS

### 8) 16 Old Pacific Hwy, Newrybar

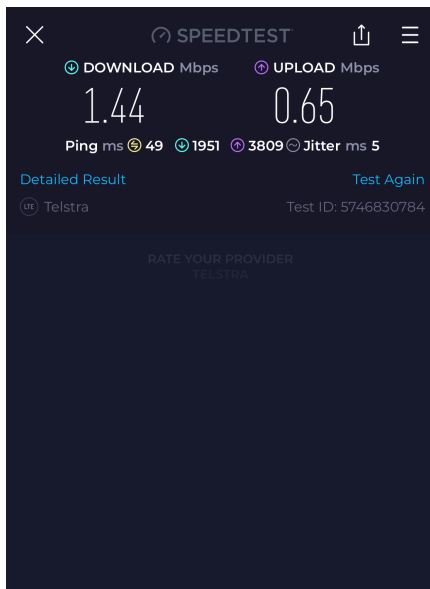
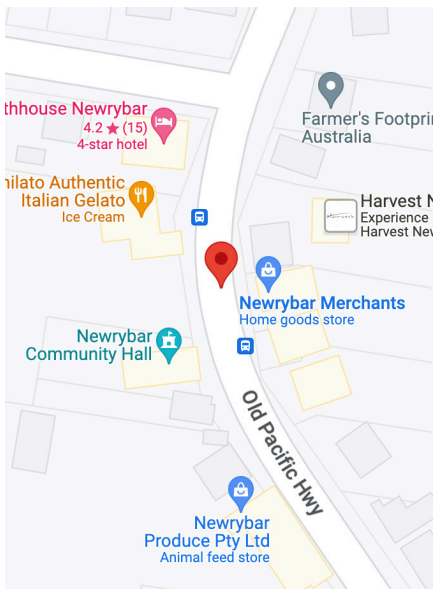
Street details	16 Old Pacific Hwy, Newrybar 2479
Coordinate	-28.7213487, 153.5303006
Pole number	092627

#### SITE PHOTOGRAPHS





MORE SITE PHOTOGRAPHS





(REVIEW)  
POLICY NAME: PUBLIC ART  
POLICY REF: P03  
MEETING ADOPTED: Resolution No.  
POLICY HISTORY: 280520/16; 280716/34; 250805/19;  
260712/23



## 1 OBJECTIVE

The objectives of this policy are:

- a) to encourage the provision of innovative items of public art in key locations which identify and reinforce the shire's cultural identity, community values and create a stronger sense of place;
- b) to promote artistic expression by providing opportunities for artists, designers and local community groups/organisations/individuals to present quality works; and
- c) to reinforce Council's commitment to ensure that public art is a valued and legitimate means of interpreting and celebrating Ballina shire's unique heritage and contemporary culture in publically accessible spaces.

## 2 POLICY

~~For the purpose of achieving the objectives of this policy, the following actions will be employed:~~ To achieve the objectives of this policy, the following mechanisms will be used to provide public art on public land, such as parks, recreation areas and streetscapes, and buildings and on private land that interfaces with the public domain.

### 2.1 Development and Public Art

Commercial premises, retail, or tourist and visitor accommodation and recreation facility (major and outdoor) developments ~~having a capital value in excess of \$1 million, which are proposed to be undertaken on land zoned for Business or Private Recreation purposes under Council's local environmental plan must, as a condition of development consent, over a certain value~~ incorporate an item of public art ~~with a minimum value of \$16,000~~ as an integral part of that development in a civic space.

The provision of public art by private developments is governed by the section on Public Art in Chapter 2 of the Ballina Shire Development Control Plan (DCP).

~~In the alternative, it is open to~~ Alternatively, proponents ~~to may~~ request that public art required pursuant to the DCP ~~Chapter on Public Art~~ be placed on public land ~~within the town or local centre (rather than on the development site). To meet this requirement, Council may accept a payment (in the amount of the minimum value of public art as noted above) towards the provision of public art in a public place. Under such circumstances these funds will contribute to the commissioning of permanent public artworks in public areas in the shire as determined by the Public Art Advisory Panel. In this case,~~ the proponent may pay the fee as set out in Council's Fees and Charges

Schedule and this fee will contribute to the commissioning of permanent public artworks in public areas as determined by the Public Art Advisory Panel.

Development proponents may engage a public art consultant to assist in the preparation of documents and the selection of artists. They are encouraged to seek the advice of the Public Art Advisory Panel and refer to the ~~Arts Northern Rivers—Northern Rivers Creative directory~~ Northern Rivers Community Gallery (NRCG) for local artists and art professionals who have expertise in public art works.

~~Public art for private development is governed by the relevant section on Public Art in Chapter 2 of the Ballina Shire Development Control Plan. Note, not sure if this should show as deleted if it just moved elsewhere.~~

## 2.2 Council and Public Art

- a) Council, as part of the annual preparation of its Operational Plan, will consider a budgetary allocation for the provision of public art.
- b) Council will integrate public art into its master planning for all open spaces and public domain areas and consider public art in the design of new or refurbished Council assets such as buildings and other infrastructure that has an interface with the public domain.
- c) Council will ~~form~~ coordinate a Public Art Advisory Panel that is responsible for providing advice to the Council's General Manager in relation to the effective implementation of this policy. The membership of the panel will be as follows:
  - i) Three Councillors (one from each ward), ~~one of whom will chair the panel~~; each will have voting rights
  - ii) One suitably qualified arts industry representative ~~of Arts Northern Rivers~~, (locally based with expertise in the arts and available to attend meetings as required), with voting rights
  - iii) Council staff members (as determined by the General Manager) – no voting rights.

The panel will operate under a Terms of Reference prepared by Council's General Manager but will not be provided with delegations of the Council's authority.

- d) Council will maintain a register of public art within the shire.
- e) Council owned public art works will be appropriately maintained and insured in accordance with Council's Asset Management Policy.

## 3 BACKGROUND

Ballina Shire is located within the Northern Rivers region of New South Wales and is part of the traditional Country of the Bundjalung people.

Council acknowledges our community's strong cultural and historic ties to the land, the quality of the shire's natural and environmental attributes, and the strength and diversity of the region's artistic community.

These values, recognised and embodied in Council's Community Strategic Plan and Ballina Shire Cultural Plan underpin Council's desire to support the provision of public art in prominent locations within the shire. In so doing, the potential for public art to contribute as an economic stimulus within our local community through job creation and visitation is also recognised.

A Public Art Policy was first adopted by Council in August 2005 outlining the processes for the procurement, co-ordination and management of public art. Council has a desire to ~~increase~~ continue its commitment and effectiveness in this aspect of its operations.

~~Implementation of the A~~ Public Art Policy has the potential to deliver the following benefits:

- a) Improve the visual appeal and amenity of the shire's urban environment
- ~~b) Acknowledge and express the "distinctiveness" of the different parts of our shire~~
- c) Promote social inclusion and recognise differing community values
- d) With the Shire's Aboriginal community, foster understanding of local Aboriginal identity, culture and heritage to promote and facilitate reconciliation
- e) Reinforce the cultural identity of Ballina Shire and its place within our region ~~and express the "distinctiveness" of the different localities in our shire and~~
- f) Support public artists and art professionals and provide opportunities to engage artists and the community in local creative projects.

#### 4 DEFINITIONS

<b>Council</b>	Ballina Shire Council
<b>Public art</b>	Lawfully undertaken permanent or temporary artistic works, activities or expression created for and located within public spaces or on private property which is generally accessible to members of the public. The artwork may have a primary or secondary function of utility value as an item of operational furniture or equipment.
<b>Public artist</b>	An artist skilled and experienced in the creation or fabrication of public art.
<b>Community public art</b>	Public art created by members of the community, or a community or service-based organisation, in consultation with and supervised by a public artist/s or art professionals.

#### 5 SCOPE OF POLICY

This policy applies to:

- a) Council employees and contracted employees/consultants
- b) Councillors
- c) Ballina Shire Public Art Advisory Panel
- d) Community members
- e) Public artists and art professionals
- f) Proponents of eligible commercial premises, tourist and visitor accommodation and recreation facility (major and outdoor) developments.



**6 RELATED DOCUMENTATION**

Related documents, policies and legislation:

- a) Ballina Shire Council's current Community Strategic Plan, Delivery Program and Operational Plan
- b) Our Community: Our Culture - Ballina Shire Cultural Plan 2014-2020
- c) Ballina Shire Development Control Plan 2012
- d) **Master Plans and** Plans of Management for Crown and Council-owned land
- e) Council procedure – Use of Public Infrastructure for Public Art
- f) Commissioning Public Art - Expression of Interest – Artist Brief
- g) Ballina 2035: Ballina Major Regional Centre Strategy
- h) **Ballina Shire Public Art Register**
- i) **Ballina Shire Asset Management Policy**

**7 REVIEW**

The Public Art Policy will be reviewed at least every four years.

(REVIEW)  
**POLICY NAME:** INVESTMENTS  
**POLICY REF:** I01  
**MEETING ADOPTED:** Resolution No.  
**POLICY HISTORY:** 270723/24; 220421/10; 270220/27; 241019/20;  
 280219/11;260418/27; 270417/23; 280416/18;  
 280515/23; 240714/29; 270613/29; 220312/23;  
 240311/14; 220710/14; 181208/16; 240507/20;  
 230206/044; 230622/4



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**1. OBJECTIVE**

- 1.1 To provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that liquidity requirements are being met.
- 1.2 While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the rate of return on investment.
- Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
  - Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.
  - Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.
- In conjunction with the above objectives, the placement of investments will occur, where possible, with financial institutions known to invest in fossil-fuel free industries or to fund environmentally productive activities that encourage resource efficiency, renewable energy and emissions reduction.
- 1.3 This policy only deals with Council's investments with financial institutions and does not consider investments Council may wish to make in other forms of capital, such as property.

**2. BACKGROUND**

Council has a fiduciary and legislative responsibility to manage public monies in a prudent and diligent manner. The Investment Policy sets the tone and expectations of Council and establishes guidelines and parameters for staff who are required to actually place the investments on a daily basis.

**3. DEFINITIONS**

**BBSW:** The Bank Bill Swap reference rates are independent and transparent rates for the pricing and revaluation of privately negotiated bilateral Australian dollar interest swap transactions. The rates are published daily.

**APRA:** The Australian Prudential Regulation Authority is a body established by an act of parliament. APRA oversees banks, credit unions, building societies, general insurance and reinsurance companies, life insurance, friendly societies and most members of the superannuation industry. APRA is funded largely by the industries that it supervises. It was established on 1 July 1998.

**ADI:** Authorised Deposit-taking Institutions are corporations which are authorised under the Banking Act 1959. ADIs include banks, building societies, and credit unions.

**4. SCOPE OF POLICY**

This policy applies to Councillors, Committees of Council and Council employees.

**5. RELATED DOCUMENTATION**

See section 5 on Legislative Authority for Investments and also Council's Delegation Register.

**6. LEGISLATIVE AUTHORITY FOR INVESTMENTS**

All investments are to comply with the following:

- Local Government Act 1993;
- Local Government (General) Regulation 2021
- Ministerial Investment Order;
- Local Government Code of Accounting Practice & Financial Reporting;
- Australian Accounting Standards; and
- Office of Local Government Circulars.

**7. DELEGATION OF AUTHORITY**

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager may in turn delegate the day-to-day management of Council's investments to the Responsible Accounting Officer and or authorised finance staff, subject to regular reviews.

Officers' delegated authority to manage Council's investments shall be recorded and required to acknowledge they have received a copy of this policy and understand their obligations in this role.

The placement or redemption of investments requires a minimum of two signatures from officers with delegated authority.

**8. PRUDENT PERSON STANDARD**

The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy.

It is expected that the skills of officers making investments will include:

- an understanding of the current positioning of the financial markets. ie; knowledge of the current 90 day BBSW rate;
- an understanding of the type of investments in which they are dealing. ie; investment rate offered, term to maturity and the underlying conditions of the transaction that impact risk and reward including circumstances in which the user of the funds may default in payment of capital and interest;
- an understanding of the institution that will receive and use the funds including

- their credit worth ie; current Standard & Poor's rating and confirmation they are APRA regulated; and
- an understanding of Council's Investment Policy and associated legislation such that when placing an investment all relevant conditions are considered and weighed.

The role of the investing officer will be to:

- avail themselves of current market information and investment options;
- be aware of Council's current liquidity position and the options that best suit Council in terms of length of the investment;
- in most instances the form of investment shall be a term deposit with an ADI and the investing officer shall consider at least three quotes from different ADI's (Typically the investing officer becomes aware of daily rates by phoning the institution or receiving an email);
- phone the preferred institution and advise them that they have been successful, arrange for funds to be transferred as agreed, ensure that the recipient institution provides Council with appropriate acknowledgement and documentation following their receipt of funds, complete Council's investment placement sheet and have verifying officer sign sheet; and
- in instances where the form of investment is not a term deposit then the matter shall be discussed between at least two recognised investment officers, including the Responsible Accounting Officer prior to making a placement.

The investment officer shall maintain an investment register which shall include:

- the source and the amount of money invested;
- particulars of the security or form of investment in which the money was invested;
- the term of the investment (ie, placement and maturity dates where applicable);
- if appropriate, the rate of interest to be paid, and the amount of money that the Council has earned, in respect of the money invested; and
- classification as to whether the institution holding the investment is fossil fuel aligned or is otherwise marketed specifically as an ethical "green" investment product.

### **9. ETHICS AND CONFLICT OF INTEREST**

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.

### **10. APPROVED AND PROHIBITED INVESTMENTS**

- 10.1 Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government. A copy of the current order is attached to this policy.
- 10.2 In accordance with the Ministerial Investment Order, this Investment Policy

prohibits but is not limited to any investment carried out for speculative purposes including:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Standalone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

#### **11. RISK MANAGEMENT GUIDELINES**

Council's primary strategy is to preserve the capital invested by diversifying with different approved financial institutions on the short term (12 months or less) money market.

This minimises the risk in terms of interest rate movement and integrity of individual financial institutions.

Investments obtained are to be considered in light of the following key criteria:

- a. Preservation of Capital - the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);
- b. Diversification - setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk;
- c. Credit Risk - the risk that a council has if an institution fails to pay the interest and or repay the principal of an investment;
- d. Market Risk - the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices;
- e. Liquidity Risk - the risk an investor is unable to redeem the investment at a fair price within a timely period;
- f. Maturity Risk - the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities; and
- g. Reputational and Environmental Risk – the risk of damage to Council's image and/or risk to the environment resulting from Council taking out investments that are either held with institutions who are known to fund fossil fuel activities or are not otherwise marketed specifically as an ethical "green" investment product.

#### **12. LIQUIDITY RISK PARAMETERS**

- 12.1 All investments are to be placed with institutions regulated by the Australian Prudential Regulation Authority (APRA) in accordance with the Banking Act 1959 ie Authorised Deposit-taking Institutions (ADIs) or the NSW Treasury Corporation, but excluding subordinated debt obligations.
- 12.2 At least three quotations shall be obtained from qualifying institutions whenever an investment is proposed. The best quote of the day will be successful, subject to paragraph 13.1, providing the investment will not breach any parameters contained within this policy and after allowing for administrative and banking costs.
- 12.3 Not more than 40% of the portfolio can be placed in investments exceeding 12 months to maturity and not more than 20% in investments exceeding 3 years to maturity.

**13. CREDIT RISK PARAMETERS**

- 13.1 Investment portfolio parameters are risk-management tools used to manage credit risk by diversifying the portfolio to avoid a narrow concentration of investments. Investment credit risk parameters are based on credit rating bands as published by the credit rating agencies (eg Standard & Poor’s, Moody’s, Fitch).
- 13.2 Council will use Standard & Poor’s (S&P) long term credit ratings (or Moody’s or Fitch equivalents). The S&P ratings are broadly defined as follows:

AAA	Extremely strong capacity to repay
AA+, AA, AA-	A very strong capacity to repay
A+, A, A-	A strong capacity to repay
BBB+, BBB, BBB-	Adequate protection and adequate capacity to pay
BB+, BB, BB-	Less vulnerable to non-payment however adverse economic conditions could lead to inadequate capacity to meet financial obligations
CCC	Vulnerable to non-payment and requires positive economic conditions to meet its financial obligations

- 13.3 The following credit risk parameters apply to the investment portfolio:

<b>Maximum/Minimum Thresholds – ADI/Counterparty Portfolio Limits</b>			
<b>Credit Rating</b>	<b>Maximum % of Total Portfolio</b>	<b>Minimum % of Total Portfolio</b>	<b>Exposure to a Single ADI / Counterparty</b>
A- or higher	100%	40%	20% of portfolio
BBB and BBB+	60%	n/a	20% of portfolio

Note – where an ADI has counterparties, ie has a parent or child relationship with another ADI entity, the group as a whole is to be considered as one group for the purpose of assessing Council’s total exposure.

Exposure to a single ADI/Counterparty will be restricted by their credit rating so that single ADI/Counterparty exposure is limited, as detailed in the above table.

**14. REPUTATIONAL AND ENVIRONMENTAL CONSIDERATIONS**

- 14.1 Where possible (and subject to obtaining a comparable return and compliance with other investment policy parameters), the investing officer will place the investment with an institution which has been classified as non-fossil fuel aligned or in an investment product that is otherwise marketed specifically as an ethical “green” investment product. This classification shall be determined based on publicly available information, such as from Market Forces ([www.marketforces.org.au](http://www.marketforces.org.au)) or Climate Bonds Initiative ([www.climatebonds.net](http://www.climatebonds.net)).
- 14.2 In placing the investment the investing officer will:
  - Take every reasonable effort to maximise the percentage of the total portfolio held with non-fossil fuel aligned institutions or ethical “green” investment products.

- Be mindful of maximising the credit rating parameter that is aligned with non-fossil fuel aligned institutions (typically the B category).
- Consider the reputation of the institution with respect to ethical behaviour, with Council's preference being for investments to be held with institutions that display the highest standards of ethical behaviour.
- Also consideration will be given to prioritising investing in Australian domiciled organisations (i.e Banks with a head office in Australia) as opposed to entities domiciled overseas or with head offices domiciled overseas in instances where interest rates offered are the same.

### 15. PERFORMANCE BENCHMARKS

- 15.1 Investment performance will be measured monthly, in relation to both current month and 12 month rolling returns, against relevant benchmarks.
- 15.2 The investment portfolio's performance as to interest rate achieved should be compared to the 90 day BBSW, and as to earnings to the approved budget.

### 16. REPORTING

- 16.1 Documentary evidence must be held for each investment and details thereof maintained in an investment register.

The documentary evidence must provide Council legal title to the investment.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

- 16.2 The Local Government (General) Regulation 2005 2021 (clause 212) requires a monthly report on investments to be provided to Council.

The monthly report to Council will include, as a minimum:

- the total value of the portfolio and the balance of the trading bank account;
- a complete list of all investments in the portfolio, including the 'Fair Value' of any tradeable investments;
- a break-up of the portfolio per institution, showing the rating for each institution;
- a comparison of interest earned to budget for the month and year to date;
- a comparison of weighted average interest rate and 90 day BBSW for the month and year to date;
- a statement as to whether the investments are in accordance with the Local Government Act, Regulations and Council's Investment Policy;
- a commentary on portfolio performance and other matters of interest; and
- an analysis of investments as to whether or not they are fossil fuel aligned or ethical "green" investment products.

- 16.3 Annual financial statements must be prepared by Council in accordance with the Local Government Code of Accounting Practice & Financial Reporting (the Code). The Code sets the minimum requirements set by the Australian Accounting Standards and the Office of Local Government, including accounting for investments.



### 17. POLICY REVIEW

The Investment Policy will be reviewed ~~at least once a year~~ every 4 years or as required in the event of legislative changes. The Investment Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this policy. Any amendment to the Investment Policy must be by way of Council resolution.

### 18. THRESHOLD BREACHES

- 18.1 This policy imposes limits and thresholds in relation to the acquisition and holding of investments. However, due to changes in the amount of Council's investment portfolio over time, situations may occur where these limitations or thresholds are breached.
- 18.2 Where limitations or thresholds are breached due to a change in the overall size of the total investment portfolio, or a possible change in ratings of the financial institutions, the following process will apply:
- Details of any breach to be reported to Council in the monthly report immediately following the breach.
  - Immediate forced sale of the investments in breach of the limits or thresholds will not be required unless, in the General Manager's or Council's opinion that such sale is necessary to protect the value of the overall investment portfolio.
  - An immediate freeze on acquisitions of new investments in the relevant category will commence, until the portfolio can be effectively managed back to align with the requirements of this policy.
  - The objective will be to manage the portfolio back in accordance with the policy limits, within three months from the date the portfolio first exceeds the limit or threshold.

### 19. GRANDFATHERING OF INVESTMENTS

#### *Transitional Arrangements*

- 19.1 Transitional arrangements contained in the Minister's Order dated 12 January 2011, state that Council investments purchased prior to 31 July 2008, which complied with the previous Minister's Order, are taken to be in compliance with the current Minister's Order. This same 'grandfathering' provision applies to this Investment Policy.
- 19.2 Council will continue to hold investments that fall under the Minister's grandfathering provisions until maturity or until such time as the market price of such investments will allow a sale considered to be financially beneficial to Council.

**CURRENT MINISTERIAL INVESTMENT ORDER****LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER**  
(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.


All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12<sup>th</sup> day of January 2011

  
Hon BARBARA PERRY MP  
Minister for Local Government

(REVIEW)  
POLICY NAME: RATES AND CHARGES - DEBT RECOVERY  
POLICY REF: R05  
MEETING ADOPTED: Resolution No.  
POLICY HISTORY: 230323/15; 141217/22, 281021/24



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### OBJECTIVE

To establish guidelines for the efficient and effective collection of outstanding rates and charges.

To fulfil the statutory requirements of the Local Government Act, 1993, (LGA) in relation to the recovery of outstanding rates and charges.

To ensure the integrity and confidentiality of proceedings for the debtor and Council.

### POLICY

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay their rates and charges when they become due and payable to Council.

It is also acknowledged that, at times, ratepayers may suffer hardship and have difficulty meeting their financial obligations and consideration will be given to acceptable arrangements to clear the debt where possible.

This Policy establishes the framework for recovery action of all amounts due to Council and options available for extending repayment of rates in times of hardship.

#### 1. Issue of Rates and Charges and Water Notices

Rates and Charges Notices and Water Notices are issued at least 30 days prior to the due date in accordance with Section 562 of the LGA.

~~Rates~~ Amounts per the Rates and Charges Notices are payable in full on 31 August or by quarterly instalments. Quarterly Instalments are due on the following dates each year:

- 31 August
- 30 November
- 28 February
- 31 May

Amounts per the Water Notices are payable by quarterly instalments. Quarterly Instalments are due on the following dates each year:

- 30 September
- 31 December
- 31 March
- 30 June

The rate of interest that may be charged is set by the Minister under section 566 of the LGA.

Council provides essential services, and it is critical that Council remains financially viable and able to provide those services.

A penalty interest rate encourages a council to ensure that rates are paid in a timely manner and prioritised by ratepayers.

In accordance with section 562 of the LGA rates and charges on the Rates and Charges Notice fall due on August 31 which is 1 month after the date of issue. Ratepayers may choose to pay rates by four equal instalments with the final payment being due May 31.

If the amount due is not paid by the agreed date all rates and charges outstanding become immediately due and payable. Interest will accrue on a daily basis on outstanding rates and charges from 31 August. i.e.; the interest charge is backdated if any of the instalments are paid late.

### 2. Interest on Overdue Rates and Charges

Interest is charged on overdue rates and charges in accordance with Council's adopted Fees and Charges, or as otherwise resolved by Council.

Interest is not charged on legal costs. However, if legal costs are incurred, payments are allocated to legal costs as the first priority for repayment.

Section 564 and 567 of the LGA allows Council to provide assistance to ratepayers by writing off accrued interest charges. All applications for this assistance must be made in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

### 3. Issue of Overdue Reminder ~~Notices~~ Letters

A ~~rates~~-reminder letter will be issued within 14 days after the due date of an instalment for Rates and Charges Notices with to those ratepayers who have an outstanding balance greater than \$500 and for Water Notices with an outstanding balance greater than \$100, unless there is and have not made a previous-satisfactory payment arrangement in place with Council.

The reminder gives the ratepayer the balance outstanding and the option of paying the debt off by means of a periodical payment arrangement.

The reminder letter will request payment within 14 days from the posting date of the letter.

If a reminder letter does not result in payment in full or a suitable payment arrangement, the debt ~~will~~ may be forwarded to Council's debt collection agency for the issue of a letter of demand.

### 4. Payment Arrangements

Arrangements may be entered into with all ratepayers in accordance with Section 564 of the LGA.

It is Council's intention to have a maximum period of 24 months for Rates and Charges Notices and 12 months for Water Notices, for which debts may be paid under a suitable arrangement. The arrangement is to include an estimate of ~~including~~ current levies and interest during the period of the arrangement.

Any requests for arrangement periods that exceed ~~24 months~~ the above must be in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Requests for payment arrangements or extensions can be made over the phone with authorised Council staff or in writing. Payments can be made either weekly, fortnightly, monthly or by other suitable arrangements.

Interest will continue to accrue on overdue rates and charges during the period of arrangements.

Any requests for the waiving or writing off of interest charges under Section 564 or Section 567 of the LGA must be made in accordance with Council's Financial Assistance (Hardship) – Rates and Charges Policy.

Recovery action by Council will be deferred whilst the agreed payment arrangement is adhered to.

### **5. Broken Arrangements**

Where a ratepayer fails to adhere to an agreement, Council will advise the ratepayer in writing or by phone that the agreement has defaulted and recovery action will commence or be continued unless the arrangement is brought up to date within seven days from the date of advice.

If legal action has been suspended due to the ratepayer entering into a payment arrangement and the agreement has not been met by the ratepayer, the legal action will be reactivated at the level when the suspension took place.

If a ratepayer has a history of broken arrangements, Council may refuse any requests for further payment agreements and demand payment in full.

### **6. Dishonoured Direct Debit Payments**

Where a ratepayer has entered into a direct debit arrangement with Council to reduce their arrears and a payment is dishonoured without prior notification, Council will advise the ratepayer in writing or by phone of the dishonour and recovery action will commence or be continued unless the arrangement is brought up to date within seven days from the date of advice.

If direct debit payments are dishonoured on multiple occasions Council may cancel the direct debit agreement and will notify the ratepayer in writing.

If legal action has been suspended due to the ratepayer entering into a direct debit arrangement and the agreement has not been met by the ratepayer, the legal action will be reactivated at the level when the suspension took place.

### **7. Legal Action**

If Council receives no response from the debtor after the due date of the reminder letter or the debtor defaults on a payment arrangement, Council may initiate legal action.

Any outstanding debts with a **combined** balance greater than \$2,000 will be forwarded to Council's debt collection agency for commencement of legal proceedings.

Legal action will be initiated with a Letter of Demand being sent by Council's debt collection agency to the debtor, giving them 14 days to make payment in full or enter into an acceptable payment arrangement.

If full payment is not received or a suitable payment arrangement entered into, a Statement of Claim will be issued for the arrears as at the date of issue and served.

If the debt is not cleared following the expiration of the Statement of Claims statutory period, a Notice of Motion Default Judgment for liquidated claim will be lodged.

Thereafter, recovery actions that will be considered include, but are not limited to:

- A garnishee of income (bank/wages/rent)
- Writ of Execution
- Examination Summons
- Statutory Demand
- Sale of Land for unpaid rates in accordance with Section 713 of the LGA.

Recovery action is not limited to the above methods. Each account will be individually assessed to determine the appropriate and most efficient method of recovery action.

Payment arrangements may still be accepted up to the point of a Statement of Liquidated Claim, thereafter all arrangement requests will be assessed individually and may require the signing of a Consent Order.

All legal costs and expenses incurred in recovering outstanding rates and charges shall be charged against the property in accordance with Section 605 of the LGA.

In accordance with Section 459 of the Corporations Act 2001, where the ratepayer is a company and has been served with a Statutory Demand and the ratepayer has not complied within the 21 day period, Council has the right to commence proceedings to have the debtor company wound up and a liquidator appointed.

All debts regarding the issue of a creditors' statutory demand must exceed the sum of \$2,000.

### **8. Sale of Land for Unpaid Rates and Charges**

In accordance with Section 713 (2) of the LGA, Council may sell any land on which any rate or charge has remained unpaid for more than five years from the date on which it became payable.

Where any rate or charge remains unpaid on vacant land for more than one year, Council may proceed to sell the land if the total amount of unpaid rates or charges on the land exceeds the Valuer General's current valuation of the property.

If legal recovery attempts prove unsuccessful and a ratepayer falls into one of the above categories, a letter ~~will~~ **may** be written to the ratepayer advising them that Council will consider sale of land due to unpaid rates and charges. The letter **would** ~~will~~ be a final attempt to give the ratepayer an opportunity to enter into a suitable payment plan prior to a report to Council to consider the sale of land.

If a ratepayer **failed to** ~~does not~~ respond to Council's final letter, in a satisfactory manner, a report ~~shall~~ **would** be provided to Council.

The report ~~will~~ **would** include a General Manager's Certificate certifying the following:

- What rates and charges are payable on the land
- When each rate was levied
- When each rate became due
- What rates and charges are overdue.

The report **would** ~~will~~ also provide a detailed history of the circumstances of each case together with a recommendation in relation to the possible sale of the land to recover the overdue rates and charges.

### **BACKGROUND**

This Policy has been developed to ensure a consistent approach in the recovery of outstanding rates and charges is applied across the organisation and to ensure ratepayers are aware of the debt recovery practices followed by Council.

### **DEFINITIONS**

**Ratepayer:** Person, persons or entity responsible for payment of the rates and / or charges levied on a property.

### **SCOPE OF POLICY**

This policy applies to:

- Ratepayers of Ballina Shire
- Council employees
- Councillors

### **RELATED DOCUMENTATION**

Related documents, policies and legislation:

- Local Government Act 1993
- Financial Assistance (Hardship) – Rates and Charges Policy
- Hardship Rate Relief Application Form
- Fees and Charges

### **REVIEW**

This policy is to be reviewed every four years.



(REVIEW)  
POLICY NAME: FINANCIAL ASSISTANCE (HARDSHIP)  
RATES AND CHARGES

POLICY REF: F08

MEETING ADOPTED: Resolution No.

POLICY HISTORY: 230323/15; 240119/19; 141217/22;  
261115/20; 220911/19; 230311/23;  
260804/052



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### OBJECTIVE

To provide financial assistance to ratepayers who are experiencing genuine and significant financial difficulties in paying their rates and charges.

To provide a decision making framework for the consistent and equitable determination of all financial hardship applications.

### POLICY

Any ratepayer who cannot pay their rates and charges due to genuine financial hardship can apply to Council for assistance.

Rates and charges are deemed to consist of those rates and charges listed on a ratepayer's Rates and Charges Notice.

Each individual case will be considered on its merits.

To be eligible for consideration of hardship rate relief, a ratepayer must complete the Hardship Rate Relief Application Form (those applying for a periodical payment arrangement are not required to complete a Hardship Rate Relief Application Form).

The Hardship Rate Relief Application Form is available for download on Council's website [ballina.nsw.gov.au](http://ballina.nsw.gov.au)

The completed form is to be returned to Council including details of income, expenditure, assets, liabilities, and such other information required for the Council to make an informed decision.

The criteria for assessment will include, but not be limited to the following:

- The applicant must be the owner of the property and must be liable for the payment of rates and charges on the property
- The property for which the hardship application is made must be the applicant/s principal place of residence (with exception as per Clause 4 below)
- The applicant must not own any other property either within or outside the Council area (with exception as per Clause 4 below)
- The property must be categorised residential or farmland for rating purposes.
- The Hardship Rate Relief Application must be accompanied with supporting documentation which may include, but is not limited to:
  - Details of income and expenditure, assets and liabilities.
  - Copies of most recent bank statements.
  - A letter supporting the application outlining the reason for applying for financial hardship and the period of time for which the hardship relief may apply.

All applications for hardship rate relief will be assessed by an internal Hardship Committee. The Hardship Committee will consist of three Council officers appointed by the General Manager.

The Hardship Committee is to make recommendations to the General Manager for approval of payment terms exceeding 24 months or interest write-offs less than \$1,000.

The Hardship Committee, through the General Manager, is to make recommendations to Council for interest write-offs greater than \$1,000 or other assistance as considered appropriate under extenuating circumstances.

The hardship assistance provisions offered are as follows:

**1. Periodical Payment Arrangements – Section 564**

Council may enter into payment arrangements with ratepayers who may not meet the criteria outlined in this policy, but are still facing financial difficulties in meeting their normal instalment payments as provided by the LGA.

Authorised Council staff can accept over the phone payment arrangements for weekly, fortnightly or monthly payments that are within a 24 month timeframe. Any requests for periodical payment arrangements greater than 24 months need to be authorised by the General Manager.

Such agreements will continue to be subject to interest charges as per the interest rate for overdue rates and charges detailed in Council's Fees and Charges.

Debt recovery action will be deferred whilst the agreed payment arrangement is adhered to.

If the applicant does not adhere to the payment arrangement, the agreement may be cancelled, and the full amount will become due and payable immediately. Recovery action will recommence in accordance with Council's Rates and Charges Debt Recovery Policy.

**2. Interest Free Period— Section 564 and 567**

Under Sections 564 and 567 of the LGA, Council may write off accrued interest charges payable by a ratepayer where if, in its opinion, payment of accrued interest would cause the person hardship.

This assistance does not apply to rates and charges levied, but rather the interest accrued on their rates and charges.

Eligibility for such assistance is to be based on the criteria stated in this policy and the completion of Council's Hardship Rate Relief Application.

If eligible, council may grant an interest free period if the full amount owing (including current rates and charges) is finalised by direct debit arrangement within 12 to 24 months of the application. The interest free period will apply from the date of approval. Any requests exceeding 24 months need to be authorised by the General Manager.

**3. Deferral of the general rate following a revaluation – Section 601**

A ratepayer who is required to pay a higher ordinary rate due to an increase in land value following a revaluation may apply to Council for relief. The ratepayer must demonstrate that the rate increase has caused them to experience significant financial hardship.

Council may defer payment of the whole of the increase of the ordinary rate due, to the following rating year.

This is subject to one quarter of the amount of the increase being added to each instalment due in the following rating year. Interest is not charged on the deferred amount, unless it remains unpaid when the following rate instalment it was added to, becomes overdue.

Eligibility for such assistance is to be based on the criteria stated in this policy and the completion of Council's Hardship Rate Relief Application. The additional criteria used to determine eligibility is as follows:

- The percentage increase in land value must be greater than the residential shire wide average increase.

This option is only available in the first year that new land values are used to levy rates.

#### 4. **Consideration of Domestic and Family Violence**

Persons impacted by domestic and family violence may be required to relocate from the property which was previously their principal place of residence.

Council recognises that domestic and family violence circumstances may prevent a person having any control over the ability to sell property and may not have adequate income or cash assets to settle debts in the short to medium term.

The criteria for assessment requiring the property to be the ratepayer's principal place of residence and the requirement for not owning any other property will not be applied for ratepayers who advise Council they are impacted by domestic and family violence.

A person impacted may still apply for relief options available under this policy, by lodgement of a Hardship Rate Relief Application Form.

This policy also allows staff to place a hold on all debt recovery actions for any rates and charges outstanding, for a period of six months without the lodgement of a Hardship Rate Relief Application Form. Interest charges would continue to apply in that circumstance.

#### 5. **Other Ratepayer Assistance**

In addition to the above, Council may determine other applications for assistance which are to be submitted to Council on an individual basis for consideration.

#### 6. **Cancellation of Hardship Assistance**

Hardship assistance may be cancelled as a result of the following:

- Defaulting on a payment arrangement
- The ratepayer no longer owns the land
- The ratepayer advises Council that financial hardship no longer applies
- Council receives information that the financial hardship no longer exists.

Such cancellation will be at the discretion of the General Manager.

### **BACKGROUND**

Council recognises that, at times, ratepayers may have difficulty in paying their rates and charges. This policy outlines the options Council will provide to cases of genuine financial hardship and the process to be followed in providing such assistance.

The Local Government Act, 1993, (LGA) allows Council to provide assistance to ratepayers under the following sections of the Act.

- a) **Section 564** of the LGA provides Council with the option to accept payment of rates and charges due and payable by a person in accordance with a periodical payment arrangement and to write off or reduce interest accrued on rates and charges if the person complies with the agreement.
- b) **Section 567** of the LGA provides for Council to write off accrued interest on rates and charges payable by a ratepayer if, in Council's opinion the reasons that the ratepayer was unable to pay the rates and charges when they became payable were beyond the ratepayer's control, or; that the ratepayer is unable to pay the accrued interest for reasons beyond that ratepayer's control, or; that the payment of the accrued interest would cause the ratepayer hardship.
- c) **Section 601** of the LGA provides for ratepayers who incur a rate increase in the first year following a General Revaluation of land values to apply to Council for rate relief if the increase in the amount of rates payable will cause them substantial financial hardship.

### DEFINITIONS

#### Financial Hardship:

- When a ratepayer is willing but unable to pay their rates and charges on time due to unexpected events (e.g. serious injury or illness, spouse bereavement, natural disasters) or unforeseen changes (e.g. unemployment, significant income variations, family separation) that impacts their cash flow.

### SCOPE OF POLICY

This policy applies to:

- Ratepayers of Ballina Shire

### RELATED DOCUMENTATION

Related documents, policies and legislation:

- Local Government Act 1993
- Rates and Charges - Debt Recovery Policy
- Hardship Rate Relief Application Form
- Fees and Charges

### REVIEW

This policy is to be reviewed every four years.

(REVIEW)  
 POLICY NAME: ~~EQUAL EMPLOYMENT OPPORTUNITY~~ **DIVERSITY, EQUITY AND INCLUSION**  
 POLICY REF: E02  
 MEETING ADOPTED: Resolution No.  
 POLICY HISTORY: 270521/29; 270417/21; 270613/1; 260209/25; 270417/21



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## OBJECTIVE

To demonstrate Council and Management ~~Commitment to Equal Employment Opportunity principles and inform all staff about Equal Employment Opportunity Management Plan.~~ commitment to cultivating a diverse, equitable and inclusive workplace which reflects the community we serve. The policy will also inform staff about Councils Equal Employment Opportunity Management Plan.

## POLICY

~~Equal Employment Opportunity (EEO) is the right to be considered for a job, training opportunity, or other benefit, for which a person is skilled or qualified. EEO is the principle which ensures that all employees and potential employees are treated equitably and fairly, regardless of their sex, disability, race, homosexuality, marital status, age, transgender and carer responsibilities.~~

~~In practical terms, a commitment to EEO means that staff selection and promotion must be accurate, fair, accountable, systematic and based solely on merit. Decisions about staff selection must be made on job related criteria and should not render Council as the responsible employer to claims of unlawful discrimination.~~

~~Selections made in accordance with Ballina Shire Council Supported Employment Program must comply with National Disability Insurance Agency policies and procedures and other legislative requirements.~~

~~Council believes the implementation of an EEO policy and program will create a more productive workplace and will result in better services to the community.~~

~~All staff are obliged to follow non-discriminatory practice in accordance with Council's EEO policy and program and maintain a workplace free from discrimination.~~

We are committed to a workplace culture that values diverse backgrounds, experiences, and perspectives, facilitates equal access to opportunities and fosters a sense of belonging.

Our vision is for diversity, equity, and inclusion to be an integrated and integral part of how we work. This includes:

- Ensuring all employees and potential employees are treated equitably and fairly, regardless of their gender identity, age, physical or mental ability, sexual orientation, marital status, race or ethnicity, pregnancy and breastfeeding status and carer responsibilities.
- Partnering with local providers to raise awareness of employment opportunities and attract the widest possible pool of candidates.
- Educating staff who sit on selection panels to ensure recruitment and promotion decisions are fair, based on merit and in line with job specific criteria.
- Offering targeted development opportunities to employees and potential employees from diverse backgrounds to increase areas of underrepresentation (e.g. Aboriginal and Torres Strait Islander, Gender, Disability and Culturally and Linguistically Diverse groups).
- Selection for the Supported Employment Program complies with National Disability Insurance Agency policy, procedure and other legislative requirements.
- Actively engaging with employees to understand their unique needs and career goals.

- Ensuring opportunities for training and professional development are considered according to individual needs, career progression goals and corporate and statutory requirements.
- Offering flexible work arrangements to support employees balance their work and life responsibilities.
- Implementing reasonable workplace adjustments to support employees to maximise their participation.
- Cultivating a climate of mutual respect by removing any barriers to inclusion and not tolerating unlawful discrimination, bullying, harassment, or victimisation.
- Educating leaders and teams on key principles and issues related to diversity, equity, and inclusion.
- Monitoring staff survey responses and feedback to address concerns relating to diversity, equity and inclusion.

Research demonstrates that a diverse, equitable and inclusive workplace strengthens performance and potential by providing greater access to talent, enhanced decision-making, improving employee satisfaction and wellbeing and reducing employee turnover. It is also recognised as being a key enabler for creativity and innovation, which supports us to better anticipate and meet the needs of our community.

#### ~~1. Merit~~

~~Means assessing each person's skills and abilities against the needs of the job and disregarding personal characteristics which are irrelevant to the job.~~

#### ~~2. Affirmative Action~~

~~Affirmative action programs are designed to overcome the effects of past discrimination. This discrimination has formed barriers which exclude target groups from having access to equal employment opportunity. Affirmative action seeks to redress the effects of past disadvantages and prevent future disadvantages. It is the method of achieving equal employment for target groups. To assist with affirmative action for female employees Council policy is to support and participate in gender equity programs. Other affirmative action programs supported by Council include the Aboriginal employment program and employment of individuals with physical and intellectual disabilities.~~

#### ~~3. Harassment~~

~~This is any unwelcome, offensive comment or action concerning a person's race, colour, language, accent, ethnic origin, gender, marital status, pregnancy, disability, political or religious conviction. It is behaviour towards another employee which is intimidating or embarrassing and adversely affects their work environment.~~

#### ~~1. Legislative Perspective~~

~~The Anti-Discrimination Act 1977 makes it unlawful for an employer to discriminate against an employee on the grounds of sex, disability, race, homosexuality, marital status, age, transgender and carers responsibilities.~~

The purpose of the *Anti-Discrimination Act 1977* is to render unlawful racial, sex and other types of discrimination in certain circumstances and to promote equality of opportunity between all persons.



The *Local Government Act 1993* also refers to equal employment opportunity and the preparation and implementation of EEO management plans. ~~Section 344 states that the Section 344 states that the objects of Part 4 of the Act are:~~

- ~~(a) to eliminate and ensure the absence of discrimination in employment on the grounds of race, sex, marital status and disability in councils, and;~~
- ~~(b) to promote equal employment opportunity for women, members of racial minorities and persons with disabilities in Councils.~~

## **2. EEO Management Plan**

~~Under Section 345 of the Local Government Act 1993, Council must prepare and implement an Equal Employment Opportunity Management Plan in order to achieve the objects set out in Part 4 of this policy.~~

~~Council's EEO Management Plan includes provisions relating to:~~

- ~~(a) the devising of policies and programs by which the objects of Part 4 of the Local Government Act 1993 are to be achieved;~~
- ~~(b) the communication of those policies and programs to persons within the staff of the Council;~~
- ~~(c) the collection and recording of appropriate information;~~
- ~~(d) the review of personnel practices within the Council (including recruitment techniques, selection criteria, training and staff development programs, promotion and transfer policies and patterns, and conditions of service) with a view to the identification of any discriminatory practices;~~
- ~~(e) the setting of goals or targets, where these may reasonably be determined, against which the success of the plan in achieving the objects of Part 4 of the Local Government Act 1993 may be assessed;~~
- ~~(f) the means, other than those referred to in paragraph (e) above, of evaluating the policies and programs referred to in paragraph (a);~~
- ~~(g) the revision and amendment of the plan, and;~~
- ~~(h) the appointment of persons within the Council to implement the provisions referred to in paragraphs (a) to (g).~~

~~Responsibility for the review and maintenance of Council's EEO Management Plan lies with the General Manager and the Manager People and Culture.~~

## **2. Rights**

All employees have the right:

- (a) to the opportunity to be selected for promotion on merit;
- (b) to choose an individual career path;
- (c) of access to all appropriate benefits and conditions;
- (d) ~~to be free of harassment in the workplace;~~ work in an environment free from discrimination, bullying and harassment.
- (e) to express diverse and dissenting perspectives, including suggestions for new ways of working.
- (f) to share aspects of their identity without concern of judgement, adverse reactions or consequences
- (g) request to work flexibility to support with balancing work and life responsibilities.

~~(e)~~ (h) to seek advice from, or complain to the Anti-Discrimination Board NSW.

### 3. Responsibilities

The **General Manager** will:

- (a) ensure that Council's ~~EEO~~ Diversity, Equity and Inclusion policy and program is implemented within Council;
- (b) ensure all staff comply with Council's ~~EEO~~ Diversity, Equity and Inclusion policy and with legal obligations under relevant legislation;
- (c) ensure that management audits of the ~~EEO~~ Diversity, Equity and Inclusion program are undertaken on a regular basis to ensure that the ~~EEO~~ Diversity, Equity and Inclusion policy and program continue to meet their objectives.

**Managers and Supervisors** will:

- (a) ensure that Council's ~~EEO~~ Diversity, Equity and Inclusion policy is implemented within their area of responsibility;
- (b) ensure that all staff with supervisory responsibilities are aware of employees' rights and responsibilities under Council's ~~EEO~~ Diversity, Equity and Inclusion policy and relevant legislation.

The **Manager People and Culture** will:

- (a) assist with the development and review of policies and procedures;
- (b) ensure that position descriptions of all staff reflect their ~~EEO~~ Diversity, Equity and Inclusion policy responsibilities and accountabilities.
- (c) ensure that Council's ~~EEO~~ Diversity, Equity and Inclusion policy is followed during all employment procedures;
- (d) research ~~EEO~~ Diversity, Equity and Inclusion matters and keep management informed of developments in ~~EEO~~;
- (e) provide statistical and other human resources information to allow Council to develop and monitor its ~~EEO~~ Diversity, Equity and Inclusion program;
- (f) Advise on grievance handling procedures.

**All Employees:**

- (a) are responsible for upholding the ~~EEO~~ Diversity, Equity and Inclusion principles outlined in this policy;
- (b) must refrain from engaging in any discriminatory or harassing behaviour.
- (c) will participate in educational and training programs relating to diversity, equity and inclusion and bullying and harassment.

#### ~~4. Harassment~~

~~All harassment which is sexual or sex-based, racial or relates to a person's marital status, disability, age, pregnancy, or sexual preferences is discriminatory and will not be tolerated in a Council workplace.~~

~~Staff should refer to Council's policies and procedures for guidelines on how to report or deal with harassment issues.~~

**4. Making a Complaint**

- (a) In the first instance, complaints concerning ~~EEO~~ Diversity, Equity and Inclusion matters should be made ~~according to Council's Bullying and Harassment Prevention Policy; to an employees Manager and/or Council's Manager People and Culture.~~
- (b) ~~Alternatively, employees may wish to discuss the matter with Council's Manager People and Culture before deciding on a course of action; Council's Bullying and Harassment Prevention Procedure outlines details in how to address bullying and harassment concerns and complaints.~~
- (c) All employees have the right to seek advice ~~from,~~ or make a complaint to ~~the~~ Anti-Discrimination ~~NSW Board~~ at:

Email. [complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@justice.nsw.gov.au)

Post. ~~PO Box W213, Parramatta Westfield NSW 2150~~ Locked Bag 5000, Parramatta NSW 2124

Tel. (02) 9268 5555

~~Free Call~~ ~~Toll free.~~ 1800 670 812

~~Fax. (02) 9268 5500~~

Interpreter Service. TIS 131450

**5. Non-Compliance with Policy**

Failure to comply with the terms of this policy may result in disciplinary action in accordance with Local Government (State) Award disciplinary provisions.

Individuals may also be prosecuted by the Anti-Discrimination Board for breaches of the *Anti-Discrimination Act 1977*.

**BACKGROUND**

~~Ballina Shire Council is committed to a policy of equal employment opportunity, fair treatment and non-discrimination for all existing and future employees. The Equal Employment Opportunity Plan and Policy has been developed in accordance with the Anti-Discrimination Act 1977 and Local Government Act 1993.~~

The Equal Employment Opportunity (EEO) Policy and Management Plan was formally adopted by Council 23 May 1996, ~~in accordance with the Anti-Discrimination Act 1977 and Local Government Act 1993.~~ Since that time, Council has reviewed and implemented policies and procedures to support equal employment opportunity within the workplace and has provided training to staff in order to demonstrate Council's commitment to providing an equal employment opportunity, ~~harassment and discrimination free workplace. and a workplace free of harassment and discrimination.~~

~~All employment practices (recruitment, selection, training and employment, promotion and transfer and all other terms and conditions of service) will be based on the merit of the individual against specific job requirements. Existing and future employees will not be discriminated against in their employment on the grounds of race, colour, national origin, sex, disability, race, homosexuality, marital status, age, transgender and carer responsibilities.~~

~~Council will, through its Equal Employment Opportunity Management Plan, ensure any its policies and procedures are free from discriminatory practices and will recognise and encourage employees on the basis of their abilities, aptitudes, qualifications and skills, through the implementation and monitoring of effective policies and procedures.~~

~~Council will, through its Equal Employment Opportunity Management Plan, ensure that Council meets both its legal responsibilities and corporate goals and objectives.~~

The Equal Employment Opportunity (EEO) Policy has now been updated to be the Diversity, Equity and Inclusion Policy to expand the Policy focus, maintain our commitment for continuous improvement and align our approach with best practice. The Equal Employment Opportunity Management Plan will continue as it is a legislative requirement.

### DEFINITIONS

The following definitions apply to the ~~Equal Employment Opportunity Policy~~ Diversity, Equity and Inclusion Policy:

<b>Diversity</b>	Refers to the visible and invisible differences that exist between people, including (but not limited to) gender identity, age, physical or mental ability, sexual orientation, marital status, race or ethnicity and carer responsibilities. It also refers to differences in experience, perspectives, and ways of working.
<b>Equity</b>	Equity is a principle of fairness which aims to address systematic patterns of disadvantage. This includes recognising and supporting groups that have been historically underrepresented in the workplace through proactive initiatives to ensure equal access to workplace opportunities (e.g. employment, promotion, and professional development). This is distinct from equality which assumes that all people should be treated the same.
<b>Inclusion</b>	Inclusion is a subjective evaluation of how employees experience a workplace culture. It is characterised by employees feeling safe, respected, and supported, including the extent to which organisations seek out and value their experience, perspectives, and contributions.
<b>Equal Employment Opportunity (EEO) Management Plan</b>	Under Section 345 of the <i>Local Government Act 1993</i> , Council must prepare and implement an Equal Employment Opportunity Management Plan to ensure that all employees and potential employees are treated equitably and fairly, regardless of gender identity, age, physical or mental ability, sexual orientation, marital or domestic status, race or ethnicity, pregnancy and breastfeeding status and carer responsibilities.
<b>Discrimination</b>	Refers to any type of unfair treatment. <del>unequal treatment or opportunities</del> . Discrimination may be direct or indirect or systemic:  <b>Direct Discrimination</b> <del>occurs where people are treated differently because different criteria are applied when it is not necessary for them to be applied</del> . occurs when you are treated unfairly because of a characteristic you have, or are assumed to have, that is protected by New South Wales law.  <b>Indirect Discrimination</b> occurs when a rule or requirement that applies to everybody unfairly disadvantages people who possess a characteristic protected by New South Wales law and is not reasonable in the circumstances.

~~when rules, regulations or practices assume everyone is the same, have the same opportunities, and can meet the same "normal" criteria. These rules and practices are discriminatory in effect, as they exclude people with suitable skills who don't meet the apparently fair rules or practices. Examples include but are not limited to height requirements for certain jobs, doors that are too heavy for someone in a wheel chair to use, or no female toilets at certain worksites.~~

**Systemic Discrimination** is rules or practices which result in different patterns of access to different jobs and different access to benefits or services. It is the result of both direct and indirect discrimination.

- **Sexism:** which affects women disproportionately in areas such as representation in leadership and nontraditional roles.
- **Racism:** people of colour and from culturally and linguistically diverse backgrounds.
- **Ageism:** Older adults may face barriers related to employment opportunities.

### **Harassment**

is any unwelcome, offensive comment or action concerning a person's race, colour, language, accent, ethnic origin, gender, marital status, pregnancy, disability, political or religious conviction. It is behaviour towards another employee which is intimidating or embarrassing and adversely affects their work environment.

**Equal—Employment Opportunity (EEO)** ~~This is the principle which ensures that all employees and potential employees are treated equitably and fairly, regardless of their sex, disability, race, homosexuality, marital status, age, transgender and carer responsibilities.~~

### **APPLICATION SCOPE OF POLICY**

The ~~Equal Employment Opportunity~~ Diversity, Equity and Inclusion Policy applies to:

- Potential Council employees
- Current Council employees
- Council as an employer

### **RELATED DOCUMENTATION**

As a minimum the ~~Equal Employment Opportunity~~ Diversity, Equity and Inclusion Policy should be read in conjunction with the following relevant documentation and legislation:

#### **Council Plans/~~Policies~~ Procedures**

- Equal Employment Opportunity Management Plan
- Bullying and Harassment Prevention Procedure
- Recruitment and Selection Procedure
- Managing Psychosocial Hazards at Work Procedure

## 9.6 Policy (Review) - Equal Employment Opportunity (EEO) Policy

Ballina Shire Council

(REVIEW) ~~Equal Employment Opportunity~~ Diversity, Equity and Inclusion

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### **NSW Legislation**

- Anti-Discrimination Act 1977
- Local Government Act 1993

### **Commonwealth Legislation**

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Australian Human Rights Commission Act 1986

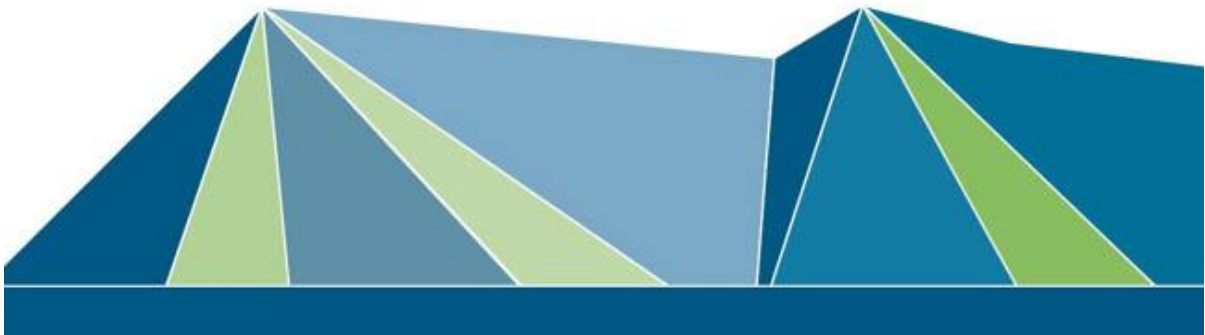
### **REVIEW**

The ~~Equal Employment Opportunity~~ Diversity Equity and Inclusion Policy is to be reviewed every four years and in conjunction with the Equal Employment Opportunity Management Plan.



# *Equal Employment Opportunity* Management Plan 2024-2027

Version 2.2 May 2024



## 9.6 Policy (Review) - Equal Employment Opportunity (EEO) Policy

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Version	Date	Reason/Comments	Name/Position
2.1	May 2021	Review in accordance with legislation requirements	Manager People and Culture
2.2	May 2024	Review in accordance with legislative requirements and with a focus on continuous improvement	Manager People and Culture



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9.6 Policy (Review) - Equal Employment Opportunity (EEO) Policy

# Strategy 1

## Policy and Program Review

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST1 Policy and Program Review</b>	Review Council's Diversity, Equity and Inclusion (DEI) Policy and Equal Employment Opportunity Management Plan	Manager People and Culture	<ul style="list-style-type: none"> <li>EEO Policy aligns with legislative requirements, including the Anti-Discrimination Act 1977 and Local Government Act 1993</li> <li>DEI Policy and EEO Management Plan reflects best practice, including but not limited to the scope, application, and use of terminology.</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Consult with Anti-Discrimination New South Wales and Local Government NSW to ensure we are meeting legislative requirements.	Manager People and Culture	2027	
Conduct an environmental analysis to identify key DEI trends, including but not limited to Local and State Government and research on best practice (e.g. McKinsey & Company)	Manager People and Culture	2027	

## Strategy 2

### Consultation

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST2 Consultation</b>	Seek input from key stakeholders on the revision of the DEI Policy and EEO Management Plan	Manager People and Culture	<ul style="list-style-type: none"> <li>Develop a stakeholder engagement plan</li> <li>Engagement activities with stakeholders</li> <li>Stakeholder input reflected in final documents</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Develop a stakeholder engagement plan to identify key stakeholders and their level of engagement (including but not limited to Council's Consultative Committee, Senior Management Team, Staff)	Manager People and Culture	2024	
Engage with key stakeholders to seek their input on the DEI Policy and Management Plan	Manager People and Culture	2027	
Updated Policy and EEO Management Plan is distributed to all staff for comment	Manager People and Culture	2027	
Budget is approved to ensure the allocation of resources to implement identified actions	Manager People and Culture	Ongoing	

9.6 **Policy (Review) - Equal Employment Opportunity (EEO) Policy**

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST2 Consultation</b>	Submit reviewed Policy and Plan to Council for adoption	Director Corporate and Community	<ul style="list-style-type: none"> <li>A report is prepared for Council outlining the rationale for the proposed changes</li> <li>Council adopts the DEI Policy and approves the updated EEO Management Plan</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Adoption of policy and plan by Council	Director Corporate and Community	2027	

9.6 **Policy (Review) - Equal Employment Opportunity (EEO) Policy**

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
ST2 Consultation	Ongoing consultation	Manager People and Culture	<ul style="list-style-type: none"> <li>Establish a DEI Working Group</li> <li>Consultation with key internal and external stakeholders</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Establish a DEI Working Group with cross organisation representation	Manager People and Culture	2024	
Ongoing consultation with key internal and external stakeholders, in line with the stakeholder engagement plan	Manager People and Culture	Ongoing	

## Strategy 3

### Communication

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments on achievement
<b>ST3 Communication</b>	Raise awareness of the updated DEI Policy and the EEO Management Plan	Manager People and Culture and Executive Team	<ul style="list-style-type: none"> <li>Staff, community, and key stakeholders updated on changes made to the DEI Policy and EEO Management Plan</li> <li>Where applicable staff review and acknowledge the updated DEI Policy</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Develop a communications plan	Manager People and Culture	2027	
Release updated DEI Policy and EEO Management Plan	Manager People and Culture	2027	
Outline changes to DEI Policy and EEO Management Plan in Council's Annual Report	Manager People and Culture	2027	
Review the diversity and inclusion section on the careers page of Council's website	Manager People and Culture	Annually	
Employee Handbook, Recruitment and Selection Procedure, Bullying and Harassment Prevention Procedure are reviewed to ensure key messages align with the DEI Policy and EEO Management Plan	Manager People and Culture	2025	

## 9.6 Policy (Review) - Equal Employment Opportunity (EEO) Policy

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments on achievement
<b>ST3 Communication</b>	Maintain awareness of DEI Policy and EEO Management Plan	Executive Team and Senior Leadership Team	<ul style="list-style-type: none"> <li>Reinforce key DEI principles to all staff, including roles and responsibilities</li> <li>Staff and community are informed of progress of the EEO Management Plan</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Ongoing communication regarding key DEI messages, in line with the communications plan.	Manager People and Culture	Ongoing	
Progress of EEO Management Plan included in Council's Annual Report	Manager People and Culture	Annually	
Any legislative changes are communicated to staff and senior leadership team	Manager People and Culture	Ongoing	

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## Strategy 4

### Staff Capability

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST4 Staff Capability</b>	Develop staff capability in DEI principles, roles and responsibilities	Senior Leadership Team	<ul style="list-style-type: none"> <li>Percentage of people leaders that attend training which outlines DEI principles.</li> <li>Percentage of staff that attend Bullying and Harassment training.</li> <li>Percentage of panel members trained in inclusive interview skills.</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Review leadership training to ensure it outlines key DEI principles	Manager People and Culture	2025	
Review Bullying and Harassment Training	Manager People and Culture	2025	
Review training provided to staff who are on interview panels to ensure selection and promotion decisions are fair, based on merit and in line with job specific criteria.	Manager People and Culture	2025	
Review job descriptions to ensure roles and responsibilities in relation to DEI are clearly highlighted	Manager People and Culture	2025	

## Strategy 5

### Monitoring and Evaluation

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST5 Monitoring and Evaluation</b>	Monitor progress of EEO Management Plan	Manager People and Culture	<ul style="list-style-type: none"> <li>Number of DEI Working Group meetings</li> <li>Number of opportunities identified for improvement and obstacles addressed as they arise</li> <li>Regular updates to consultative committee</li> </ul>			

Implementation Task	Officer	Due Date	Progress
DEI sub committee meets bi monthly	Manager People and Culture	Ongoing	
Establish process to capture feedback from staff regarding their experience and opportunities for improvement	Manager People and Culture	Ongoing	

9.6 **Policy (Review) - Equal Employment Opportunity (EEO) Policy**

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST5 Monitoring and Evaluation</b>	Evaluate progress of the EEO Management Plan	Manager People and Culture	<ul style="list-style-type: none"> <li>EEO Management Plan objectives reported in the People and Culture 6 monthly reports.</li> <li>Feedback from Staff Engagement Surveys</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Review People and Culture 6 Month report to ensure key EEO objectives are captured in the report template	Manager People and Culture	2024	
Progress against key EEO Management Plan objectives reported in the People and Culture 6 monthly report	Manager People and Culture	6 monthly	
Monitoring staff feedback to address concerns relating to diversity, equity and inclusion	Manager People and Culture	Ongoing	
Review questions asked in staff surveys to ensure perceptions around DEI principles and bullying and harassment are captured	Manager People and Culture	2024	
Section action plans developed to address opportunities for improvement in relation to DEI principles and bullying and harassment following each staff engagement survey	Manager People and Culture	Every two years	

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## Strategy 6

### Recruitment and Promotion

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST6 Recruitment and Promotion</b>	Implement employment strategies that increases the participation of each EEO target group: <ul style="list-style-type: none"> <li>Gender</li> <li>Aboriginal / Torres Strait Islander (ATSI)</li> <li>Disability</li> <li>Culturally and Linguistically Diverse People</li> </ul>	Manager People and Culture	<ul style="list-style-type: none"> <li>Increase the percentage of staff employed in each of the target EEO groups</li> <li>Engagement with local networks and employment service providers</li> <li>Number of targeted development opportunities for EEO target groups.</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Develop a strategy to increase employment opportunities and career pathways for EEO target groups, this includes reviewing labour hire arrangements, work experience programs, traineeship and apprenticeship programs	Manager People and Culture	2025	
Partner with local schools and employment service providers to raise awareness of employment opportunities and attract the widest possible pool of candidates.	Manager People and Culture	Ongoing	

## 9.6 Policy (Review) - Equal Employment Opportunity (EEO) Policy

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Implementation Task	Officer	Due Date	Progress
Pursue funding opportunities to increase the representation of EEO target groups	Manager People and Culture	Annually	
Offer targeted development opportunities to employees and potential employees from EEO target groups. Where appropriate this includes seeking exemption from Anti Discrimination NSW to recruit specific EEO target groups.	Manager People and Culture	Ongoing	
Consider reasonable workplace adjustments for current and potential employees to assist with securing employment opportunities.	Senior Leadership Team	Ongoing	
Consider EEO target groups as a part of succession planning	Senior Leadership Team	Ongoing	

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9.6 **Policy (Review) - Equal Employment Opportunity (EEO) Policy**

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST6 Recruitment and Promotion</b>	Review Recruitment and Selection Procedure to ensure it aligns with legislation and key DEI principles	Manager People and Culture	<ul style="list-style-type: none"> <li>Procedures and protocols reviewed to ensure alignment with legislation DEI principles</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Review Recruitment and Selection Procedure	Manager People and Culture	2025	
Recruitment and Selection Procedure updated as required to incorporate any changes in legislation	Manager People and Culture	Ongoing	

## Strategy 7

### Training and Development

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST7 Training and Development</b>	Staff are provided opportunities for training and professional development	Senior Leadership Team	<ul style="list-style-type: none"> <li>Staff discuss training needs and career goals as a part of annual performance reviews</li> <li>Corporate training plan reviewed annually</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Review education and resources provided to supervisors to support staff with professional development and career planning	Manager People and Culture	2025	
Review Educational Assistance Procedure and Higher Duties and Acting Placements Procedure to ensure it incorporates key DEI principles	Manager People and Culture	2025	
Corporate Training Plan reviewed annually to capture individual training needs and professional development goals	Manager People and Culture	Annually	
Staff Consultative Committee review Corporate Training Plan annually	Consultative Committee	Annually	
Develop Mentoring and Job Shadowing Programs	Manager People and Culture	2025	

## 9.6 Policy (Review) - Equal Employment Opportunity (EEO) Policy

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

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Implementation Task	Officer	Due Date	Progress
Monitor training and development offered to EEO target groups	Senior Leadership Team	Ongoing	
Consider barriers to accessing training and development opportunities including travel policies, reimbursement of expenses and location of training	Manager People and Culture	Ongoing	

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## Strategy 8

### Engagement and Retention

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST8 Engagement and Retention</b>	Retain staff from EEO target groups	Manager People and Culture	<ul style="list-style-type: none"> <li>Staff are asked of needs as a part of onboarding and annual performance appraisals.</li> <li>Provision of support to employees</li> <li>Employee survey results</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Review onboarding procedure to ensure we are capturing requirements for reasonable adjustments and ongoing support	Manager People and Culture	Ongoing	
Engage with local networks and providers to identify opportunities to support current and potential staff from EEO target groups.	Manager People and Culture	Ongoing	
Offer flexible work arrangements to support employees balance their work and life responsibilities.	Manager People and Culture	Ongoing	
Monitor staff feedback to identify and remove any perceived barriers to inclusion	Manager People and Culture	Ongoing	
Review staff survey questions to ensure we can report on aggregate results for each EEO target group	Manager People and Culture	2024	

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## Strategy 9

### Bullying and Harassment Prevention

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST9</b> <b>Bullying and Harassment Prevention</b>	Increase awareness of staff roles and responsibilities in relation to anti-discrimination legislation and preventing bullying and harassment in the workplace	Executive Team and Senior Leadership Team	<ul style="list-style-type: none"> <li>Education on preventing bullying and harassment provided to all staff</li> <li>Education on supervisors role in preventing and responding to claims of bullying and harassment claims provided to all supervisors</li> <li>Education on how to make a grievance/ complaint</li> </ul>			

Implementation Task	Officer	Due Date	Progress
In-house training sessions or refresher training provided for Council staff	Manager People and Culture	Annually	
Induction training for new supervisors	Manager People and Culture	Ongoing	

9.6 **Policy (Review) - Equal Employment Opportunity (EEO) Policy**

Ballina Shire Council

Equal Employment Opportunity Management Plan 2024 - 2027

Action Code	Action Name	Responsible Officer	Performance Indicators	Status	Progress	Comments
<b>ST9 Bullying and Harassment Prevention</b>	Maintain awareness of Council's Bullying and Harassment Prevention Procedure	Manager People and Culture	<ul style="list-style-type: none"> <li>Information provided on infonet</li> <li>Workplace relationships discussed as a part of annual performance review discussions</li> </ul>			

Implementation Task	Officer	Due Date	Progress
Provision of current procedure on Infonet	Manager People and Culture	Ongoing	
Staff updated as a part of ongoing staff communications in line with the communications plan	Manager People and Culture	Annually	
A discussion on workplace relationships is included in annual performance appraisal process	Supervisors	Annually	
Conduct education and awareness training for staff support services team	Manager People and Culture	Ongoing	

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Survey Responses  
01 May 2024 - 05 June 2024

Feedback - Draft Delivery Program and  
Operational Plan 2024/25


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Your Say Ballina

Project: Delivery Program and Operational Plan 2024/25



VISITORS					
40					
CONTRIBUTORS			RESPONSES		
10			10		
10	0	0	10	0	0
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous

	<b>Respondent No:</b> 1	<b>Responded At:</b> May 14, 2024 14:30:06 pm
	<b>Login:</b> Registered	<b>Last Seen:</b> May 14, 2024 04:09:26 am

- Q1. **Your Name** not answered
- 
- Q2. **Your email address** not answered
- 
- Q3. **What is your feedback related to?** Delivery Program (4 year program)
- 
- Q4. **Please provide your feedback**
- I take note of PE1.2 which supports the delivery of commercial and retail shops in the Ballina Heights Estate which will monitor the status of development. There is an issue with the timeframe of development consent. The developers are awaiting this to commence activities. It is the Council responsibility to ensure that this is completed in a timely manner. This is for the first two stages for retail/shop/supermarket and bottle shop. What is really needed is the Childcare centre. The estate has grown significantly and parents are struggling to find suitable child care. Can Council please progress this need within the community. With the increase in families there has been an increase of children catching school buses as there are no schools in the estate. There is a desperate need to ensure the safety of our children to have a designated bus stop at the Power Drive/ Ballina Heights Drive intersection that also provide weatherproof structures. There are many children that stands in the rain waiting to catch a bus. A review of the bus stops throughout the estate is also needed. Additionally, the playground equipment upgrade at the Cumbalum Sports Field needs to be considered. This area is becoming the community hub for Ballina Heights. Consideration needs to be given to age appropriate equipment that is enclosed to ensure the safety of young children who may wander in the adjacent car park. Can you please direct some funding to our estate. It is about time that some of the funding is spent on supporting a workforce that contributes to our community.
- 
- Q5. **Please upload any documents relevant to your submission here** not answered
- 
- Q6. **I have read and agree with Council's Privacy Policy.** Yes
- 
- Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**
- No
-

## 9.8 Delivery Program and Operational Plan - Adoption



**Respondent No:** 2

**Login:** Registered

**Responded At:** May 15, 2024 18:24:33 pm

**Last Seen:** May 15, 2024 08:17:42 am

Q1. **Your Name** not answered

Q2. **Your email address** not answered

Q3. **What is your feedback related to?** **Other (please specify)**  
Parking

Q4. **Please provide your feedback**

The off-street parking between the two primary schools on crane street urgently needs to be sealed and parking lines painted.

Q5. **Please upload any documents relevant to your submission here** not answered

Q6. **I have read and agree with Council's Privacy Policy.** Yes

Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**  
not answered

## 9.8 Delivery Program and Operational Plan - Adoption



**Respondent No:** 3  
**Login:** Registered

**Responded At:** May 16, 2024 20:45:20 pm  
**Last Seen:** May 16, 2024 10:37:30 am

- Q1. **Your Name** not answered
- 
- Q2. **Your email address** not answered
- 
- Q3. **What is your feedback related to?** Delivery Program (4 year program)
- 
- Q4. **Please provide your feedback**
- Can we please make the installation of a footpath along Teven road within the town limits a priority. This was initially on a previous council plan due for installation during 2024 however I see this funding has been pushed out to a later date 2028. Alstonville has a large portion of an active population that are walking or exercising along Teven road this is a safety hazard and with the lack of a footpath people have no choice but to be on the road. It is only a matter of time before someone is injured or maybe worse due to an incident with a vehicle. It is good to see that new developments along Teven road have been required to install a footpath on their land however council needs to do more and start joining these segments up as a priority. Some segments have been sitting isolated now for over ten years. Would be good if Alstonville started to get some real footpath focus!!
- 
- Q5. **Please upload any documents relevant to your submission here** not answered
- 
- Q6. **I have read and agree with Council's Privacy Policy.** Yes
- 
- Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**
- No
-

## 9.8 Delivery Program and Operational Plan - Adoption



**Respondent No:** 4

**Login:** Registered

**Responded At:** May 19, 2024 13:26:23 pm

**Last Seen:** May 19, 2024 01:33:20 am

Q1. **Your Name** not answered

Q2. **Your email address** not answered

Q3. **What is your feedback related to?** Delivery Program (4 year program)

Q4. **Please provide your feedback**

Chickiba Park desperately needs drainage works and surface improvements. It was budgeted for in the 24/25 DPOP and now is revised down \$175,000. When will athletics have a home and actually receive the investment for this high participation sport critical for physical literacy. The community is tired of going to Chickiba to just get their feet wet, even when it is dry elsewhere. We need to ensure that open spaces are useable spaces. Engage with the community and plan to develop the location as communicated. There are kids, including my own, who cannot train for their chosen sport and the highest participation school sport right now. The throw cage is regularly visited by multiple athletes at the same time and we need another. The long jump pit is always a swimming pool. Children, including mine, are also being bullied off other fields because of surface pressure. Improve Chickiba Park and deal with the water inundation finally please to bring this historically forgotten space back to life.

Q5. **Please upload any documents relevant to your submission here** not answered

Q6. **I have read and agree with Council's Privacy Policy.** Yes

Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**  
not answered



## 9.8 Delivery Program and Operational Plan - Adoption



**Respondent No:** 5  
**Login:** Registered

**Responded At:** May 19, 2024 14:31:24 pm  
**Last Seen:** May 19, 2024 04:05:11 am

- Q1. **Your Name** not answered
- 
- Q2. **Your email address** not answered
- 
- Q3. **What is your feedback related to?** Delivery Program (4 year program)  
Operational Plan (1 year program)
- 
- Q4. **Please provide your feedback**
- In the list of parks that council will be upgrading, there is no mention of the major public park in Ballina- Fawcett Park. I am aware that council has a long-term plan to continue improvements to Fawcett Park, primarily in the section of the park nearest the RSL Club and CWA building. However, no funds appear to be forthcoming to commence these improvements, yet this park is a major showpiece for visitors and locals alike as they stroll along the river. The section of park from the toilet block to the RSL Club is sadly unattractive, looking as it does into the backs of shops, old, rusty fences and a dirt road. Could funds be allocated to at least fence off the ugliness and plant some shrubs/trees to provide a visual screening of this area.
- 
- Q5. **Please upload any documents relevant to your submission here** not answered
- 
- Q6. **I have read and agree with Council's Privacy Policy.** Yes
- 
- Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**
- not answered
-


## 9.8 Delivery Program and Operational Plan - Adoption



**Respondent No:** 6  
**Login:** Registered

**Responded At:** May 19, 2024 17:12:42 pm  
**Last Seen:** May 19, 2024 06:42:15 am

- Q1. **Your Name** not answered
- 
- Q2. **Your email address** not answered
- 
- Q3. **What is your feedback related to?** Delivery Program (4 year program)  
**Other (please specify)**  
Funding and delivery of athletics sporting facility in Ballina.  
Strategic Asset Management Plan
- 
- Q4. **Please provide your feedback**
- There is nothing in your budget or plan which deals with providing a proper athletics sporting facility in Ballina. I am a committee member of Ballina Little Athletics Club and my son is a member who competes at State Level in competitions. The facilities you have provided our club are very poor and disgusting. Our club had better facilities at Cumbalum/Ballina Heights sports grounds, and you kicked our club of those grounds in favour of the Teven Tintenbar Soccer Club. It seems Council has spent heaps of money on improving the Cumbalum sports ground for the soccer club, but you have left us with a sub-standard sports facility at Chikiba Oval - drainage is poor (we had to cancel a carnival earlier this year because of this), the club house is old and dilapidated, the storage facilities for our athletics equipment is insufficient, you don't even mow the grass when you are supposed to, and now you are threatening to cancel our clubs license to use the Chikiba Oval because you expect our club to pay for upgrades to the sports facilities, even though it was our club who purchased the tartan long jump running lanes. When is Council going to direct funding to improve the athletic sports facilities on Chikiba Oval? Did you know that Brisbane Olympics are on the horizon - where is your support of children, teenagers and young people who want to aspire to be athletic athletes?
- 
- Q5. **Please upload any documents relevant to your submission here** not answered
- 
- Q6. **I have read and agree with Council's Privacy Policy.** Yes
- 
- Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**  
not answered
-

	<b>Respondent No:</b> 7	<b>Responded At:</b> May 21, 2024 10:45:20 am
	<b>Login:</b> Registered	<b>Last Seen:</b> May 20, 2024 22:27:16 pm

- Q1. **Your Name** not answered
- 
- Q2. **Your email address** not answered
- 
- Q3. **What is your feedback related to?** Delivery Program (4 year program)  
Operational Plan (1 year program)

**Q4. Please provide your feedback**

Council should be congratulated generally on what has been delivered in the Shire over recent years. Lennox Head and Ballina certainly are looking great with significant capital investment occurring there over the last decade. Big ticket items such as both main streets, Lake Ainsworth / Shaws Bay upgrades, coastal pathways etc. are now completed, with Ross Lane reconstruction and River Street duplication underway. Aside from these success stories, I have a few comments about my family's hometown, Alstonville: 1. During the recent 'sprint' of coastal development and improvement, Alstonville (and other nearby small rural hamlets) have somewhat missed out, with minimal improvement occurring over the last decade or two. Parts of Alstonville are looking tired and are in need of attention. Some of the main street furniture and bollards have been removed and not replaced. Recent planting has been installed that is inconsistent with the original planting, the original being local rainforest species while the recent planting is non-native and is inconsistent with Councils own strategic plan objectives of "maintaining and enhancing our natural environment". 2. The plateau towns continue to remain isolated from both Goonellabah to the west and West Ballina to the east in terms of cycleway connectivity. The opportunity to provide a 'greenfield style' rural cycleway linking the rail trail in Lismore to West Ballina (and then connecting via the coastal path onto Lennox Head) is there for the taking, providing business opportunity to adjoining landholders and rural villages. Once Byron Shire gets on board, the loop can be completed right through to the main rail trail in the north. 3. Stage 1 of Duck Creek MTB Park continues to be a major drawcard for tourism and locals alike, with over 50000 riders per annum enjoying the facility. Most local schools now have mountain biking incorporated into their sport programs, with students training at DCMTBP and attending national schools championships annually. It is worth noting that this facility runs on volunteer labour and generally speaking is self-funding for the benefit of the community. Council recently resolved to assist with the expansion of DCMTBP - thank you! I can see remediation monies for Stokers Quarry being allocated in the CapEx forecasting for FY's24-26, which has to be completed to finalise Council's obligations under the DA for their quarry. There does not appear to be any other monies allocated to furthering this project despite it being No.1 in the Councils own sporting strategy. 4. The creation of Council 'mini depots' in locations around the shire clearly provides a tangible benefit to Council in terms of moving and storing materials - no-one could deny that. However, I have uploaded a picture of the one on Uralba Road, Lynwood, only metres from surrounding residences. I suggest that it would never happen out the front of a Councilor's house, and, as such, Council should not expect the residents to put up with it either. I can only imagine it has had a significant effect on property values surrounding it, along with the wellbeing of local residents who have to listen to the activities occurring there, such as dumping and retrieving concrete waste, gravel, resealing waste, fill and topsoil on a regular basis. It is poorly maintained and is deplored by local residents. I submit that this facility be fully decommissioned and moved to Gap Road Quarry near Teven Road, Alstonville which has the space and buffer required to host such infrastructure in a more appropriate, accessible location. This would help ensure that Councils own objective of "the sense of community and quiet lifestyle is maintained". Thank you for the opportunity to provide feedback and I wish you well with the implementation of the Plan.

- Q5. **Please upload any documents relevant to your submission here** [https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/d26d1bf965759be3b8f707cec6e0dde96ac6ecd6/original/1716252311/144010cdf06a77ebf579dab2aed5e06f\\_Mini\\_Quarry\\_Aerial.JPG?1716252311](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/d26d1bf965759be3b8f707cec6e0dde96ac6ecd6/original/1716252311/144010cdf06a77ebf579dab2aed5e06f_Mini_Quarry_Aerial.JPG?1716252311)

## 9.8 Delivery Program and Operational Plan - Adoption


Q6. I have read and agree with Council's Privacy Policy. Yes

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Q7. Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality

not answered

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	<b>Respondent No:</b> 8	<b>Responded At:</b> May 31, 2024 09:35:46 am
	<b>Login:</b> Registered	<b>Last Seen:</b> May 29, 2024 09:39:39 am

Q1. **Your Name** Joshua Seage (President - Wollongbar Community Action Team)

Q2. **Your email address** joshua.seage@hotmail.com

Q3. **What is your feedback related to?** Delivery Program (4 year program)  
Operational Plan (1 year program)

**Q4. Please provide your feedback**


1. Creating Safe Access to the Wollongbar Rainforest Proposal: The Wollongbar Community Action Network proposes the creation of safe and accessible pathways to the Wollongbar Rainforest to develop it into a major tourist attraction and a source of community pride. The Wollongbar Rainforest is unique as the only subtropical temperate rainforest within an urban area in the entire state of New South Wales. Rationale: Tourism Potential: The Wollongbar Rainforest has the potential to attract tourists, researchers, and nature enthusiasts, boosting the local economy. Community Engagement: Developing this natural asset will provide educational opportunities for local schools and community groups, fostering a deeper appreciation for the natural environment. Conservation Awareness: Enhanced access will allow for better management and conservation efforts, helping to preserve this unique ecosystem. Recreation and Well-being: Accessible pathways will encourage outdoor activities and promote the health and well-being of residents and visitors. Specific Actions: Pathway Development: Construct well-marked, safe walking trails with appropriate signage and information boards about the rainforest's flora and fauna. Accessibility Features: Ensure the pathways are accessible for people of all abilities, including wheelchair users and those with limited mobility. Safety Measures: Install safety features such as railings, lighting, and emergency call points along the trails. Amenities: Provide basic amenities like benches, rest areas, and waste disposal bins to enhance the visitor experience.

2. Expansion of Play Equipment and BBQ Area at District Park Proposal: The Wollongbar Community Action Network proposes the expansion of the play equipment and the addition of an additional BBQ area at District Park in Wollongbar. Rationale: High Demand: District Park is an incredibly popular destination for families and community gatherings. However, the current play equipment is insufficient to meet the high demand, often leading to overcrowding and limited play opportunities for children. Enhanced Facilities: An additional BBQ area would alleviate the current issue where people arrive before sunrise to secure the space for parties, which limits access for others. Specific Actions: Play Equipment Expansion: Install additional play structures to cater to different age groups and abilities, including swings, climbing frames, and sensory play elements. BBQ Area Addition: Construct an additional BBQ area with BBQs, seating and shade to accommodate more visitors and ensure equitable access. Maintenance and Safety: Ensure that all new equipment and facilities are regularly maintained and meet safety standards. By implementing these adjustments, the Ballina Shire Council can significantly enhance the community's natural and recreational assets. These improvements will not only foster community pride and well-being but also attract tourists and boost the local economy. We look forward to your positive consideration of these proposals and are happy to provide further information or assistance as needed. Thank you for your attention to these important community enhancements.

Q5. **Please upload any documents relevant to your submission here** not answered

Q6. **I have read and agree with Council's Privacy Policy.** Yes

Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**  
not answered

	<b>Respondent No:</b> 9	<b>Responded At:</b> Jun 05, 2024 14:08:21 pm
	<b>Login:</b> Registered	<b>Last Seen:</b> Jun 05, 2024 04:03:49 am

Q1. <b>Your Name</b>	Scott Turner
Q2. <b>Your email address</b>	president@ballinatouch.com.au
Q3. <b>What is your feedback related to?</b>	Delivery Program (4 year program) Operational Plan (1 year program)

**Q4. Please provide your feedback**

Thank you for the opportunity to make a submission to the draft 2024/25 Operational Plan, Budget and Delivery Program. Ballina Touch requests that Council include in its Operational Plan for 2024/25 an activity and any required funding to undertake the review of storage, canteen and changeroom facilities at Saunders Oval as outlined in the Ballina Sport and Recreation Plan 2020. Supporting and Background Information Touch Football is identified in the Sport and Recreation Plan as having the fourth highest participation rate in the shire, with football (soccer) being the fifth highest. We share the facilities at Saunders Oval in a very strong and functional partnership through the Ballina Sports Club. The clubhouse at Saunders Oval does not meet current requirements for both sports and indeed does not meet current building code, health requirements (canteen) or accessibility standards in terms of equal access for female participants or those with disabilities. This is not new information as these issues are identified clearly in the Ballina Sport and Recreation Plan, yet no action has been taken by Council since the adoption of the plan in 2020 to include any of the relevant recommendations regarding Saunders Oval in its Delivery Program. The need for upgrades to the clubhouse to provide more storage, more usable under cover space and especially equal access for female participants and those with disabilities is now more relevant than ever. The growth of female football (soccer) is clearly increasing given the success of the Matildas over recent years. In regard to those with disabilities, Ballina Touch is proud to have 2 All Abilities teams in our competition. It is something of an embarrassment for our club, that we are not able to offer these players modern functional bathrooms and change rooms when they play at Saunders Oval. Similarly, access to the upstairs clubhouse area presents challenges. These players are an important part of our club. Most have come through our junior competition over many years and now play in our senior competition and even representative competitions. The creation of ALL Abilities divisions at state and national events has created opportunities for these players that never existed before. Indeed, a team that consisted entirely of Ballina players won the All Abilities division at the 2023 National Touch Titles, playing under the NSW Northern Eagles banner. Our club is extremely proud of the achievement of this group of players and we want to continue to provide them with opportunities to play a game that they love and develop their skills to play at higher representative levels if they wish. The provision of suitable facilities for these players – accessibility, and separate female facilities is an important part of that opportunity. The first action to determine what is required for both clubs utilising Saunders Oval is the review as outlined in the Sport and Recreation Plan. Surely this can be accommodated as a starting point for improvements that are desperately needed at the venue? For example, Ballina Touch recently had to install a shipping container at the Oval to store some of our equipment. We know this is not a permanent solution and appreciate Council staff agreeing to let us do this and avoid the need for gear and equipment to be stored at member’s homes. We know that the Soccer Club has a similar need for more storage space and are also looking at the possibility of an additional shipping container at the ground. Ballina Touch is prepared to commit its own funds to any renovation and expansion of the clubhouse. We have contributed funding to upgrades in the past, most recently putting \$35,000 to the lighting upgrade carried out in 2019 and paying the full cost of a new PA system for the facility in 2017. The club would be in a position to contribute much more than this to a clubhouse upgrade – subject to agreement from the committee, but wish to see a commitment from Council to the project as well. In summarising, we are not looking for a handout, we are not asking that a clubhouse upgrade happen next year. We are asking that the first step in planning for an upgrade be included in your current Operational Plan, and that it be the action that already exists in the Ballina Sport and Recreation Plan (2020). To not even start planning for this for the next 4 years is quite frankly unacceptable to our association and will set both Ballina Touch and Ballina Soccer Club back in their activities and engagement with members, especially female players and those with disabilities. Scott Turner President and Technical Director Ballina Bull Sharks

## 9.8 Delivery Program and Operational Plan - Adoption

Q5. Please upload any documents relevant to your submission here not answered

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Q6. I have read and agree with Council's Privacy Policy. Yes

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Q7. Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality  
No.

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## 9.8 Delivery Program and Operational Plan - Adoption



**Respondent No:** 10  
**Login:** Registered

**Responded At:** Jun 05, 2024 20:53:10 pm  
**Last Seen:** Jun 05, 2024 03:56:15 am

- Q1. **Your Name** Lennox Head Chamber of Commerce
- 
- Q2. **Your email address** info@businesslennoxhead.com.au
- 
- Q3. **What is your feedback related to?** Delivery Program (4 year program)  
Operational Plan (1 year program)
- 
- Q4. **Please provide your feedback**
- Our submission relates to two visitor economy projects with approved designs that have not yet received funding. 1) Installation of seaside signage on M1 to promote lennox's great attributes, help it compete with other destinations and act as an attractor, encouraging more people to holiday in our Shire. The cost from Transport NSW came in at approximately \$100k for two signs. The budget has \$30k reserved for this project. We'd like to suggest that this project proceeds in two stages with one (1) sign being erected initially instead of two. This would require a smaller additional funding amount of approximately \$20k. The sign could be positioned north of the Lennox Head facing southbound traffic - targeting holidaymakers from the Gold Coast and Brisbane. We attach last years submission for your information. 2) Pat Morton Precinct - Car Park and Shared Path The Pat Morton / Lennox Point precinct is a high visitation location yet the car park has remained in a state of disrepair for many years now. To encourage greater usage and longer recreational times the shared paths north and south of Lennox Point should be connected. The importance of the Pat Morton / Lennox Point precinct to the health of our visitor economy should not be underestimated and this important project should be implemented as soon as possible. It is now well overdue. Representations have been made at B ward meetings in regards to this project.
- 
- Q5. **Please upload any documents relevant to your submission here** [https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/4115dd0192a02002379cd2b545b4e29b1df88b61/original/1717584663/ff3b374a44db810f55296c2fab9fcb48\\_Submission\\_-\\_Tourism\\_Signage\\_-\\_Delivery\\_and\\_Operational\\_Plan.pdf?1717584663](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/4115dd0192a02002379cd2b545b4e29b1df88b61/original/1717584663/ff3b374a44db810f55296c2fab9fcb48_Submission_-_Tourism_Signage_-_Delivery_and_Operational_Plan.pdf?1717584663)
- 
- Q6. **I have read and agree with Council's Privacy Policy.** Yes
- 
- Q7. **Do you want your submission to be treated as confidential? If yes, please provide a reason for confidentiality**  
No
-





**Linda Coulter**

**From:** Zenon Kowalczyk <zenon.k84@gmail.com>  
**Sent:** Sunday, 19 May 2024 9:35 AM  
**To:** Councillors  
**Subject:** Chickiba Park and East Ballina neglected

Dear Elected Representatives,

I write to advise you of concerns from the residents of East Ballina, hundreds of young athletes and other community users of the dismay of the support shown for our area in the latest draft DPOP from Ballina Shire Council.

If any of you have visited the lovely Chickiba Park over the last decade you will have likely walked onto this ground 3/4 of the time in ankle deep water from consistent inundation. It is in dire need of drainage works and surface improvements to support an active and healthy community.

At present on any given afternoon, there are dozens of families arriving with their children to practice for cross country and upcoming athletics events & carnivals, the highest participation school sporting events in our shire. They are either turning around and going home or enduring to exercise barefoot due to the current state of the surface. To reiterate, this inundation persists long after rain events have happened when other fields are dry. Ballina schools are currently booked into Chickiba Park for carnivals starting in a week. Many are large schools who will likely have to cancel or pay-to-play in other LGA's. This is a ridiculous outcome when almost all other school events remain in Ballina. Do we want to see this amount of physical activity stop?

I spoke with a young female and her mother yesterday who love running. They were shocked that the only athletics facility in the shire is of this standard. The young female asked "Can I only train on the footpath?". Several days a week of note on a Sunday afternoon, there is also a large group of young athletes training for this sport. They are currently crammed in together on the long jump runways as it is the only dry surface at the location. I am aware they attempted to train on a dry surface at another location but were abused and told to go train elsewhere by another sport code. It is understandable that we all want to reduce pressures on playing surfaces, but these kids have nowhere to go.

Communication from Council in the last DPOP was Council are committed to developing Chickiba Park as Ballina's community athletics facility. The 23/24 DPOP allocated \$216,000 to improvements to support this commitment. The funding could have addressed surface improvements and drainage works to remove barriers to participation. I am aware of a strong, volunteer led, support initiative from Ballina Little Athletics who are determined to support our community and Councils strategy by improving infrastructure and successfully fundraising. They also have attracted interest for major events and visiting schools from Sydney.

**23/24 DPOP**

Description	2023/24 (\$)	2024/25 (\$)	2025/26 (\$)	2026/27 (\$)
<b>Open Space – Sports Fields</b>	<b>2,044,000</b>	<b>216,000</b>	<b>221,000</b>	<b>227,000</b>
Ballina Pump Track	684,000			
Williams Reserve - Irrigation	210,000			
Kingsford Smith - Flood and Drainage Repairs	370,000			
Fripp Oval - Flood and Drainage Repairs	220,000			
Saunders Oval – Flood and Drainage Repairs	480,000			
Ballina Heights – Flood and Drainage Repairs	80,000			
Chickiba Field - Improvements		216,000		
Geoff Watt, Alstonville			221,000	
Kingsford Smith - Upgrade				227,000

## 9.8 Delivery Program and Operational Plan - Adoption

### 24/25 DPOP

<b>Open Space – Sports Fields</b>	<b>1,696,000</b>	<b>221,000</b>	<b>229,000</b>	<b>237,000</b>
Saunders Oval Sport Priority Needs Program	490,000			
Ballina Heights Sport Priority Needs Program	90,000			
Ballina Pump Track	700,000			
Williams Reserve, Lennox Head - Irrigation	340,000			
Chickiba Fields, Ballina – Improvements	<b>41,000</b>			
Geoff Watt, Alstonville -Cricket Pitch	5,000			
Kingsford Smith, Ballina – Cricket Pitch and irrigation	30,000			
Kingsford Smith, Ballina – Improvements		221,000		
Geoff Watt, Alstonville – Improvements			229,000	
Gap Road Sporting Upgrades				237,000

The question to you, our elected representatives, is simple.

Why would council slash \$175,000 in the 24/25 DPOP allocated to Chickiba Park and does this signal support for the East Ballina community and thousands of athletics participants that they matter?

It has been a long time since a funding injection was received in this location.

There are many individual community submissions forthcoming to the draft DPOP on this issue.

The young community members would also love an opportunity for their voices to be heard if possible.

Can we please have some action for one the most in demand facilities and neglected open spaces in beautiful Ballina.

Regards,

Zenon Kowalczyk  
Ballina Shire Resident

**Linda Coulter**

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**From:** Briony <brionyleonard@gmail.com>  
**Sent:** Sunday, 19 May 2024 10:08 AM  
**To:** Ballina Shire Council  
**Subject:** Feedback Draft Delivery Program and Operational Plan

Dear Linda,

I write to you to provide feedback on the draft DDPOP. As a long-standing resident and active volunteer for athletics in the Ballina Shire Council I raise concerns at the drastic reduction in funding allocated to improving the facilities at Chickiba Park for athletics and multisport usage.

Athletics in its history in the Ballina Shire has had to relocate over 5 times to different community facilities at the directive of council, each of these moves were sold to athletics as 'new improved facilities, with opportunity for development and enhancement". Unfortunately, this is not been the case. The recent improvements to Chickiba were cofunded by grassroots athletics club, with the promise of further infrastructure. The newly proposed DDPOP shows a significant decrease in funding (over \$100K less), despite year on year being one of the highest growing youth sports in the Shire. Not to mention the push for all local public and independent schools to host their annual athletics events and carnivals from these grounds. Hundreds of children use Chickiba Park for athletics throughout the year - as year round sport, unlike many other sports in our region, yet, again athletic grounds are allocated minimal improvements to support this continued growth. Chickiba Park doesn't have usable lighting, limiting the hours athletics or other sports can be offered, adequate field drainage (with the water flow directly under the grounds, meaning it doesnt quickly drain leaving grounds unsafe for use for days, even weeks), this includes the newly built long jump pit and throws pads that often have water inches deep sitting in them for long periods due to inadequate drainage, despite being advised during development or even adequate accessible toilets at Chickiba to support inclusion of our differently-abled community members.

The current facilities do not meet the needs of our community.

Kind regards,  
Briony

**Linda Coulter**

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**From:** Emma Heuston <emma@readytobosslegal.com>  
**Sent:** Wednesday, 29 May 2024 1:08 PM  
**To:** Ballina Shire Council  
**Subject:** Submissions relating to the delivery program and operational plan (DPOP)

**Categories:** Erica

Dear Sir/ Madam,

I refer to your draft delivery program and operational plan (**DPOP**) and note you invited submissions before Wednesday, 5 June 2024.

I write in relation to Chickiba Park specifically and the athletics facilities (or lack of them).

My son is 12 years old and has participated in the Ballina Little Athletics Club for the past 7 years. During that time we have been moved from the Cumbalum fields to Chickiba Fields by the Ballina Shire Council. The move was made on the promise by Ballina Shire Council (BSC) that adequate facilities and drainage would be set up on Chickiba. The photo below illustrates the current situation at Chickiba. I acknowledge that it has been a wet couple of months BUT the current water at Chickiba is next level and further drainage work (which I understand has been proposed) would help alleviate the situation below that makes our long jump pit look more like a swimming pool.



This is devastating to my son who competes at State level in school athletics, both through Richmond Christian College and through Little Athletics. It hampers his opportunities further, noting in a regional area we do not receive the same facilities as the city.

## 9.8 Delivery Program and Operational Plan - Adoption

Athletics is incredibly important to my son's wellbeing. He has been diagnosed with dyspraxia, dyslexia and dyscalculia, however excels in the athletics sprinting discipline, meaning his confidence levels derive from athletics participation.

The Ballina Little Athletics Club and his sprint training squad attached to the Club offer him and the other children who participate in the training and competition opportunities a community participation venue.

Further, our Richmond Christian College School carnivals have been impacted by the state of Chickiba. I understand from a public facebook post by the school that Ballina Coast High School was in a similar situation this week.

The draft DPOP allocates only \$41,000 to Chickiba to remedy these issues in the next financial year. This is woefully inadequate, particularly when other facilities and clubs are receiving far more funds.

Please don't forget the athletes of Ballina Shire.

As a long standing rate payer and resident of this shire I implore you to assist in building an athletics facility that can be used for carnivals and training for our children and other community members.

Regards,

Emma Heuston-Levack



Emma Heuston  
Founder  
Ready to Boss Legal  
Legal publisher & contract template creator

Web [www.readytobosslegal.com](http://www.readytobosslegal.com)  
Email [emma@readytobosslegal.com](mailto:emma@readytobosslegal.com)



**IMPORTANT:**

The contents of this email and any attachments (Email) are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify me immediately and do not disclose the contents to anyone or make a copy of the Email.

**Linda Coulter**

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**From:** Peter Sugden <peterbsugden@gmail.com>  
**Sent:** Wednesday, 29 May 2024 9:35 PM  
**To:** Ballina Shire Council; Cr. Eoin Johnston; Cr. Simon Chate; Cr. Nigel Buchanan  
**Subject:** Chickiba Park & Draft Ballina Shire Council Delivery Program and Operational Plan (DPOP)

Dear Council Staff, Eoin, Simon and Nigel,

I refer to your draft delivery program and operational plan (**DPOP**).  
Council has invited submissions before Wednesday, 5 June 2024.  
I write in relation to Chickiba Park specifically and the athletics facilities.

I have written this to both council staff and C ward councilors as while it is not in our ward, I wanted you to know that this matters to residents across the shire, not just those in East Ballina.

The current athletics facilities at Chickiba Park are in need of improvements, specifically around drainage but also the addition of more throw pads and cages would be extremely helpful. Both of my 5 and 7 year old children use the facilities at Chickiba Park as part of Little Athletics and as a teacher I know that the facilities are used by a number of local schools.

During the last Little Athletics season there was a Northern Rivers Zone multi athletics carnival planned at Chickiba Park that was for all of the North Coast. Both of my kids were registered as were roughly 150 other kids from not just Ballina but across the North Coast. Unfortunately a moderate amount of rain and a lack of sufficient drainage meant that even though the day was sunny, the rain earlier in the week meant that the track was too wet and the long jump pits were under water. This led to the carnival being relocated to Grafton, and unfortunately my kids were unable to compete because of other commitments which meant we didn't have time for a 2 hour drive home.

The current allocation to Chickiba in the draft DPOP (\$41,000) is not enough as it will not solve the drainage issues and allow for more throws pads and cages.

Please help to support sport and recreation for the kids in our shire by increasing the funding allocation to Chickiba Park in the DPOP

Thanks,  
Pete Sugden  
Alstonville

**Linda Coulter**

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**From:** Belinda Legzdins <belbe71@hotmail.com>  
**Sent:** Tuesday, 4 June 2024 11:45 PM  
**To:** Ballina Shire Council  
**Subject:** RE: Draft Ballina Shire Council Delivery Program and Operational Plan (DPOP)

Dear Sir/Madam,

I refer to your draft delivery program and operational plan (DPOP).

Council has invited submissions before Wednesday 5<sup>th</sup> June 2024.

I write in relation to Chickiba park, East Ballina specifically and the athletics facilities (or lack of them).

I have two sons ages 14 years and 12 years that currently attend Ballina Athletics. Ballina little Athletics currently use Chickiba Park for their athletic training. The facilities are in desperate need of an upgrade in many ways but more so in the area of water drainage as the field and long jump area become water logged. So much so that Chickiba Park is unable to be utilised and the training days have had to be cancelled as a result. Just recently the local high school was also unable to use these facilities for their athletic carnival because of the same reason.

My sons absolutely love attending little athletics and also sprint training and it is upsetting they can not fully participate in a sport they love without adequate facilities. Both my boys have gone onto regional and zone in athletics. My eldest son has also gone onto state athletics representing our town Ballina, through his school and Little Athletics. My son has also broken area records in high jump which is his passion, and he has the goal of one day representing Australia at the Olympics.

So without the provision of adequate facilities his athletic dreams may be hampered along with many other children.

The allocation to Chickiba Park, East ballina in the draft DPOP (41,000) is not enough to remedy these issues in the next financial year when other facilities and clubs are receiving far more funds.

As a long-standing community member and rate payer of this shire I implore you to assist in building an athletic facility that is up to standard that can be utilised by local schools for carnivals and athletic training for our children and the community

I ask that you consider these submissions.

kind regards,  
Belinda Legzdins  
belbe71@hotmail.com



Linda Coulter

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**From:** Matt Leggo <mleggo81@outlook.com>  
**Sent:** Tuesday, 4 June 2024 11:55 PM  
**To:** Ballina Shire Council  
**Subject:** RE: Draft Ballina Shire Council Delivery Program and Operational Plan

To whom it may concern,

In reference to your draft delivery program and operational plan (DPOP), I am submitting my opinion in regards to Chikiba Park and the athletics facilities provided. For the last 12 months my two sons have been enrolled in Ballina Little Athletics. During the course of this time, I have observed a number of short-comings in regards to the facilities available to the kids. As you would be aware, the weather has played a significant role in highlighting the field's obvious lack of drainage. This has prevented the kids from using the running track on numerous occasions, and the longjump sandpit has also suffered from regular flooding (and lack of drainage)!

Some other complaints that have been voiced on numerous occasions by other parents and participants are that the field would benefit from more regular mowing (by council); there is inadequate facilities available for the storage of all the athletics equipment. Currently, the sports gear is being stored in one small shipping container, and a room in the very old sports club shed. I feel the provision of a more updated club house and storage facilities would greatly benefit our club as well as the whole community.

Finally, I feel the community could also benefit with the addition of a few other facilities, such as park bench seats and possibly even the provision of water bubblers.....or even a small carpark! At the end of the day, it's the kids that matter- they are our future. There is currently so much athletic talent in our region. It would be a shame to ignore our athletic champions of Ballina and deny them the much needed upgrading of facilities.

I appreciate your time and consideration in regards to my submission, and I look forward (with great anticipation) to some much needed facility upgrades in the very near future.

Kind regards,

1

**9.8 Delivery Program and Operational Plan - Adoption**

Matthew Legzdins  
mleggo81@outlook.com

3 June 2024



**Response to Draft Delivery Program and Operations Plan 2024/25**

The committee of Ballina Little Athletics (BLA) is writing in reply to the Delivery Program and Operation Plan (DPOP) for adoption for the 2024/25 financial year.

We again communicate on behalf of our growing membership, our fast-growing volunteer base, and the Athletics community in Ballina Shire more broadly.

We believe Athletics as physical literacy and a penultimate, equitable and gender equal sport has been drastically underfunded in the draft DPOP, specifically as identified in the development allocation to Chickiba Park.

Summary:

- Chickiba Park had a proposed budget of \$216,000 for this coming financial year for improvements which was voted on, and adopted, by council after considerable planning.
- Major issues exist at the facility that need rectifying, including drainage, surface standards, additional athletics facilities, storage, lighting and disability access.
- Council has formally adopted and communicated this site as the suitable location for a community athletics facility.

BLA wrote to council as a submission to the last DPOP to address concerns as to the standard of facility being in poor condition and not suitable for athletics use and community demand.

The formal response letter to our submission dated 11 July 2023 from Linda Coulter (attached), on behalf of Ballina Shire Council, ahead of the draft DPOP being adopted stated:

*"Funding of \$216,000 is proposed in the 2024/25 financial year to undertake improvements to Chickiba Park as a local athletics facility. The proposed timing remains appropriate due to the priority of other identified projects schedules for 2023/24. Council staff will continue to work with the club for input into the priorities."*

This communication signalled a considered and prioritised need for improvements at this location. Since this reply letter we [the club] have not been contacted for input into the development priorities relating to this funding allocation.

Ballina Shire Council has arrived at the decision to develop Chickiba Park as the only Athletics facility available to our LGA, with the exception of a seasonal marked track at Geoff Watt Oval. Ballina Shire Council has communicated this to the community and Ballina Little Athletics is prepared to support this decision. BLA remains committed to meeting the growing demand and need for athletics in our active community.

For your records, athletics is the highest participation sport on the school calendar. The club and community has very recently witnessed multiple school carnivals postpone or cancelled all together. The reason the cancellations to date have occurred is due to their being no adequate or fit for

purpose facility available to run these carnivals. The issues mainly are attributed to these cancellations are:

- The nominated facility at Chickiba Park is consistently water logged
- The ground surface is below standard for safe participation
- Not the required amount of throwing facilities
- Lack of disabled access and facilities

These on-the-ground conditions mean that by the end of the school athletics season we will likely have to watch thousands of students miss out on vital physical activity and literacy due to the current standard of facility being too low. This standard could be dramatically improved if the already adopted and agreed upon funding allocation from remained fully allocated to Chickiba Park.

As a volunteer run organisation, and strong advocates for the fit for life principles of athletics, we cannot support a reduction in funding allocation proposed in this current draft DPOP. The amount allocated in last year's DPOP was well considered, as communicated, and agreed on by the community and elected representatives. The revised amount of \$41,000 is not considerate of the priority needs of this location or the participation demands by the community. We understand that council has only significantly adjusted the funding allocation for Chickiba Park (-\$175,000) with no other locations appearing to lose funding. We note several "new priorities" for inclusion which were not previously priorities on the last DPOP.

Ballina Little Athletics is the largest athletics club in Northern NSW north of Newcastle, and through the term of this DPOP is expected to reach larger membership numbers in an Olympic year with 50% of our membership being female. We have been identified by our joint state sporting body as a major development hub for the sport winning multiple awards and home of some of the state's best volunteer initiatives. We have been asked to present on how we have been successful in achieving many of our milestones which also align with this Councils strategic focus. We are also home to dozens of state representative athletes and their coaches, many who podium.

BLA is also positioned and moving to attract large championships to the region to support our athletics community, our regions commerce, and this Councils desire to improve the number of events and attraction of Ballina. Further facility improvements to a better standard are required to be able to attract these championships to the region. The club, and our volunteers, will be disadvantaged, along with the community, if these improvements are not forthcoming for this location in the term of the 2024/25 DPOP. A major event could occur as early as December 2024 if resourcing and collaboration is forthcoming.

We call on council to:

- Uphold the proposed and adopted funding of \$216,000 allocated to Chickiba Park in the last DPOP which was already prioritised, well considered, and communicated by Council.
- Ensure the developments are in line with existing and future demand for Chickiba Park to ensure a high participation sport is not losing opportunity for physical engagement by our club and the community.

Sincerely,

The Committee of  
Ballina Little Athletics Inc.



Lind

**From:** Nellie McCarthy <nellie@bountifulbookkeeping.com.au>  
**Sent:** Wednesday, 5 June 2024 10:50 AM  
**To:** Ballina Shire Council  
**Subject:** Submissions relating to the delivery program and operational plan (DPOP)

**Categories:** BAS AGENT Krish

Dear Sir/ Madam,



I refer to your draft delivery program and operational plan (DPOP). Council has invited submissions by Wednesday, 5 June 2024.

I write in relation to Chickiba Park specifically and the athletics facilities.

We have <sup>25955145</sup> three children who have participated in Ballina Little Athletics for the last 4 years and we have been with the club through the move from Cumbalum Fields to Chickiba Fields. The location of the fields is great for us as we live near by, however we have been disappointed this year that the fields have been unusable due to the amount of water lying on them. Our school athletics carnival is coming up this Friday and our children are disappointed that they have not had many opportunities to practice for their events. Last season both our boys made it through to State level and would love to get there again this year.

The draft DPOP allocates only \$41,000 to Chickiba to remedy these issues in the next financial year. This is woefully inadequate, particularly when other facilities and clubs are receiving far more funds. The fields really need work to allow better drainage and East Ballina really would benefit from more and better facilities at the fields.

Our 11-year-old son is currently passionate about basketball yet there are no public basket ball courts in our area for him to practice on.

Please don't forget the athletes of Ballina Shire.

I ask that you consider my submission.

Kind regards,

Nellie McCarthy  
Bookkeeper & Registered BAS Agent (25955145)



[nellie@bountifulbookkeeping.com.au](mailto:nellie@bountifulbookkeeping.com.au)

[www.bountifulbookkeeping.com.au](http://www.bountifulbookkeeping.com.au)



## 9.8 Delivery Program and Operational Plan - Adoption

**From:** Brian Wilkins <[wilco1@bigpond.com](mailto:wilco1@bigpond.com)>  
**Sent:** Thursday, February 8, 2024 1:25 PM  
**To:** Ballina Shire Council <[BallinaShireCouncil@ballina.nsw.gov.au](mailto:BallinaShireCouncil@ballina.nsw.gov.au)>  
**Cc:** 'ElectorateOffice Ballina' <[ElectorateOffice.Ballina@parliament.nsw.gov.au](mailto:ElectorateOffice.Ballina@parliament.nsw.gov.au)>  
**Subject:** Submission - Dust Seal Program - Old Bagotville Road, Bagotville

Good Morning

Following on from our ongoing discussions with Ballina Shire Council and the State Member for Ballina, Tamara Smith, advice has been received to provide a submission to the 'Council Delivery Program' to have Old Bagotville Road, Bagotville reprioritized in the current council 'Dust Seal Delivery Program.'

Please find enclosed our submission for your consideration.

Please don't hesitate to contact us via email or mobile should you require any further information.

Kind Regards

Brian & Daphnie Wilkins  
Bagotville

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**From:** Rose Mitchell  
**Sent:** Monday, April 29, 2024 2:17:46 PM  
**To:** Cr. Rod Bruem <[Rod.Bruem@ballina.nsw.gov.au](mailto:Rod.Bruem@ballina.nsw.gov.au)>  
**Subject:** Footpaths

Hi Cr. Bruem,

I have managed to save the video file to Dropbox I was hoping to share with you, please see link below.

<https://www.dropbox.com/scl/fi/zzkou4uh80nyeyfjggln0/Isaac-no-footpath-video-2-1714362904816.mp4?rlkey=485rv40eu6summ36bqt9l2sw7&st=lai3a9k8&dl=0>

The video is of Isaac, my 13 year old son who has cerebral palsy, and uses a power wheelchair for school, and I (and his baby sister in stroller) walking part of the way from our home on Olivia Circuit Lennox Head, to his high school Xavier Catholic College Skennars Head.

Once out of Olivia Circuit, there are no footpaths, until we reach the path down to the Lennox Head Football Club, this video starts at the end of this path, and shows how Isaac has to drive across the grass - which when dry ground is ok, but after any rain is far too boggy to drive on- , across the carpark, then from there, there is no footpath, non either side of the carpark driveway, no median strip, no crossing, and no proper curb cut out. We wait while traffic speeds dangerously past along Skennars Head Road, until a break in traffic requires Isaac to sprint across in his powerchair, and launch dangerously up onto the footpath of another vehicle entrance opposite the Lennox Head Football Club carpark.

Skennars Head Road is really dangerous, and not only for Isaac, but the many, many children that travel by bike or scooter from within our area, to either Holy Family or Xavier Catholic College, and beyond daily.

The one median strip and bus stop on the northern (football club) side do not have footpaths that lead to it, so therefore are completely inaccessible to utilise for a safer crossing.

It would be wonderful if a safe footpath, under pass or crossing solution for Skennars Head Road could be considered so our children can safely make their way to school.

I look forward to hearing from you.

Best Regards,  
Rose Mitchell

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**From:** Rose Mitchell <[rosematilda@hotmail.com](mailto:rosematilda@hotmail.com)>  
**Sent:** Monday, April 22, 2024 8:13 AM  
**To:** Cr. Rod Bruem <[Rod.Bruem@ballina.nsw.gov.au](mailto:Rod.Bruem@ballina.nsw.gov.au)>  
**Subject:** Re: Accessible Beaches in Lennox Head

God morning Councillor,

The video footage I have of walking my son to school, is too large a file to email.  
Is there another way I can get it to you?

Dropbox or WhatsApp etc?

Regards,  
Rose

Linda Coulter

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**From:** Helpdesk <helpdesk@ballina.nsw.gov.au>  
**Sent:** Thursday, 6 June 2024 9:46 AM  
**To:** Sarah Carden  
**Subject:** Ask a DPOP Question

Just a quick heads up to let you know that a new question has been asked at Delivery Program and Operational Plan 2024/25 by Wayne Garrard.

The question that was asked is:

*Hill Park, Wollongbar Facilities This submission is being made on the recommendation of the C Ward Committee meeting held on 9th May where this matter was discussed. Hill Park Oval has been a home to Alstonville and District Cricket Club (ADCC) for over 40 years. Since 1992 it has been the sole turf wicket facility in Alstonville and one of four in the Ballina Shire. This has allowed Hill Park Oval to not only host ADCC matches but also a number of female and male representative matches, often involving teams from Metropolitan and Regional NSW and interstate. The Regional Cricket Authority have advised that grounds used for competitions in the future must have suitable facilities, including change rooms. The ground is currently served by public toilets, which are totally unacceptable, in fact visiting cricket teams regularly complain that Hill Park has the worst facilities in the region (Tweed, Lismore and Byron Council areas). Unless ADCC can provide a ground with these facilities in the future, our 1st and 2nd Grade teams may need to share grounds with Lennox head or Ballina based Clubs. The Club has been attempting to get Council support for new facilities (toilets and change rooms) at Hill Park, but have been informed that in accordance with Council's Facilities Plan, that the new Wollongbar Sporting Fields are the future site for the premier cricket facilities on the plateau. The site of the cricket ground at the Wollongbar Sporting Fields has been the home of the pod village, developed to provide accommodation for the 2022 flood victims. It is understood this facility will be in operation for at least another 12 months. Rehabilitation of the site to provide a premier cricket ground with a turf wicket, suitable for regional and representative cricket matches, will take at least 5 years once the pod village has been removed. Hill Park will continue to be used for these matches in the interim. The Club does not want to suffer another 10 years of embarrassment regarding the Hill Park facilities. The local Wollongbar community have supported previous approaches by our Club to have the public toilet facilities at Hill park upgraded. ADCC request Council to consider including an upgrade to the public toilet facilities, together with the construction of change rooms, canteen and ancillary storage in their Delivery Program and Operational Plan 2024/25.*

Please DO NOT reply to this email. If you want to provide an answer to this question, sign in to your site and respond to the question from within the Q & A tool.



General Fund - Asset Description	Draft LTFP		Recommended		Comments
	2024/25	2025/26	2024/25	2025/26	
<b>Corporate and Community Division</b>					
<b>Commercial Property</b>					
Russellton Industrial Estate - Final Stage	4,000,000		4,000,000		
ARC Lease - Crane	172,000		125,000		Total \$225,000 - \$100,000 paid in 2023/24 and \$125,000 in 2024/25
<b>Quarries</b>					
Stokers Quarry - Remediation	255,000	250,200	255,000	250,200	
<b>Flat Rock Tent Park</b>					
Flat Rock - Improvements	20,000	20,000	20,000	20,000	
<b>Ballina Byron Gateway Airport</b>					
Car Park - Expansion	2,435,000	2,100,000	2,435,000	2,100,000	Subject to Masterplan completion in July 2024
Terminal - Air-Conditioning and CBS	1,200,000		1,200,000		
Terminal - Check-in Equipment		3,000,000		3,000,000	Subject to specifications and detailed design
Crown Land and Revetment Wall		150,000		150,000	Subject to detailed design
<b>Tourism</b>					
Riverfront Walk and Cultural Ways	72,000		72,000		
<b>Facilities Management</b>					
Alstonville Cultural Centre	3,800,000	12,200,000	1,500,000	14,500,000	
<b>Facilities Management - Asset Renewal Program</b>					
<b>Newrybar Hall</b>					
Toilet upgrade	70,000		70,000		
<b>Ballina CWA Hall</b>					
Re-roof		50,000		50,000	
<b>Lennox Head Cultural Centre</b>					
Roof Replacement Library/ Foyer	108,000		108,000		
Roof Replacement Lennox Head CWA Hall	70,000		70,000		
Library carpet/paint	60,000		60,000		
<b>Ballina Library/Richmond Room/VIC</b>					
Library Air-conditioning					
New Eave Redesign		120,000		120,000	
Re-roof		220,000		220,000	
Internal Paint	94,000	26,000	94,000	26,000	
Security Upgrades			79,000		New project - Grant funded
<b>Ballina Surf Club</b>					
Carpets and AC	78,000		78,000		
Building B Rolladoors	16,000		16,000		
<b>Kentwell Centre</b>					
Security cameras and repairs		45,000		45,000	
Foyer and Refurbishments		25,000		25,000	
<b>Marine Rescue Tower</b>					
Window Repairs		69,000		69,000	
<b>Northern Rivers Community Gallery</b>					
Gallery - Deck / Awning	110,000		110,000		
<b>Sub Total - Asset Renewal Program</b>	<b>606,000</b>	<b>555,000</b>	<b>685,000</b>	<b>555,000</b>	
<b>Depot and Administration Centre</b>					
Depot - Internal Car Park	220,000		220,000		
Depot - Fuel System	305,000		305,000		
Depot - Store - Roof	200,000		200,000		
Depot - Open Spaces Office - Roof	200,000		200,000		
Depot - WWW Shed - Roof	270,000		270,000		
Depot - Compound (Store / Small Plant)		687,000		687,000	
Depot - Administration Building	1,500,000		1,775,000		Based on Tender
<b>Swimming Pools</b>					
Alstonville	51,000		51,000		
<b>Fleet and Plant</b>					
Replacement Program	2,500,000	2,000,000	2,500,000	2,000,000	
<b>Total - Corporate and Community</b>	<b>17,806,000</b>	<b>20,962,200</b>	<b>15,813,000</b>	<b>23,262,200</b>	
<b>Planning and Environmental Health Division</b>					
<b>Public and Environmental Health</b>					
Lake Ainsworth Coastal Management Plan	500,000		500,000		
Teven Reserve Management Plan	500,000		500,000		
<b>Open Spaces - Parks</b>					
Crown Reserve Works	52,000	54,000	52,000	54,000	
Campbell Park, Alstonville	155,000		155,000		
Lilli Pilli Park, Lennox Head	150,000		150,000		
Meldrum Park, Ballina	170,000		170,000		
Missingham Park, Ballina	420,000		420,000		
Montwood Park / Caloola, Lennox Head	180,000		180,000		
Teven Reserve	255,000		255,000		
Cawarra Park, Ballina		168,000		168,000	
EA Brown Park, Alstonville		250,000		250,000	
Headlands Park, Skennars Head		165,000		165,000	
Westland Park, Ballina		165,000		165,000	
Comm Assets Program - Lake Ainsworth Remediation Works	900,000		900,000		
Comm Assets Program - Commemoration Park Improvements	500,000		500,000		
Comm Assets Program - Coastal Recreation Path	200,000		200,000		
Comm Assets Program - Lighthouse Beach Disability Access	400,000		400,000		
Sharpes Beach - Master Plan	1,300,000		1,300,000		Extension to 31 October 2025 - Projects must be completed by 30 June 2026
<b>Sub Total - Open Spaces</b>	<b>4,682,000</b>	<b>802,000</b>	<b>4,682,000</b>	<b>802,000</b>	
<b>Open Spaces - Sports Fields</b>					
Saunders Oval Sport Priority Needs	490,000		490,000		
Ballina Heights Sport Priority Needs	90,000		90,000		
Kingsford Smith - Pump Track SCCF Rd 5	700,000		700,000		Grant funding must be expended by 30 January 2025
Kingsford Smith - Major Upgrades		221,000		221,000	
Williams Reserve Irrigation	340,000		340,000		
Chickiba Field - Various Improvements	41,000		41,000		
Geoff Watt Cricket Pitch	5,000		5,000		
Kingsford Smith Cricket Pitch and Irrigation	30,000		30,000		
<b>Sub Total - Sports Fields</b>	<b>1,696,000</b>	<b>221,000</b>	<b>1,696,000</b>	<b>221,000</b>	
<b>Public Amenities - Improvements</b>					
Bulwinkel Park	80,000		80,000		
Cawarra Park	80,000		80,000		
Compton Drive	160,000		10,000	160,000	Defer to review preferred site location
Freeborn Park		160,000		150,000	Bring forward while Compton Drive being reviewed
<b>Sub Total - Public Amenities</b>	<b>320,000</b>	<b>160,000</b>	<b>320,000</b>	<b>160,000</b>	
<b>Total - Planning and Env Health Division</b>	<b>7,698,000</b>	<b>1,183,000</b>	<b>7,698,000</b>	<b>1,183,000</b>	

General Fund - Asset Description	Draft LTFP		Recommended		Comments
	2024/25	2025/26	2024/25	2025/26	
<b>Civil Services Division</b>					
<b>Stormwater</b>					
Ballina Fair	177,000		177,000		
Owen Street, Ballina	128,000		128,000		
Urban Lanes	75,000	75,000	75,000	75,000	
Urban Stormwater Management Plan	25,000	25,000	25,000	25,000	
Asset Data Collection	50,000	50,000	50,000	50,000	
Tide Gates to Urban Streets	35,000	235,000	35,000	235,000	
Quays Dr West Ballina	310,000		310,000		
Kerr St (Tamar St to Richmond River)	110,000		110,000		
Lindsay Crescent Wardell - LG Recovery funded \$200k funded	14,000		14,000		
LG Recovery Kawana Street Basin	100,000		100,000		
LG Recovery Mellis Circuit Drainage	240,000		240,000		
LG Recovery West Ballina Stormwater Works	260,000		260,000		
LG Recovery Wardell Stormwater Works	360,000		360,000		
Greenfield Drive & Tallow Wood Place Lennox Head	40,000	190,000	40,000	190,000	
Park Lane & Ballina St Lennox Head	100,000		100,000		
Cherry Street	131,000		131,000		
Grant Street, Ballina		185,000		185,000	
Wardell		52,000		52,000	
John Sharpe Street, West Ballina	108,000		108,000		
Cronulla Street (midden site) Rehabilitation	290,000		290,000		
Stormwater Dividend		1,574,000		1,574,000	
<b>Sub Total - Stormwater</b>	<b>2,553,000</b>	<b>2,386,000</b>	<b>2,553,000</b>	<b>2,386,000</b>	
<b>Roads and Bridges</b>					
Urban Roads - Bitumen Reseals	549,000	568,000	549,000	568,000	
Urban Roads - Heavy Patching	666,000	689,000	666,000	689,000	
Rural Roads - Bitumen Reseals	537,000	556,000	537,000	556,000	
Rural Roads - Heavy Patching	415,000	430,000	415,000	430,000	
Bypass Funds - Alstonville	100,000	100,000	100,000	100,000	
Bypass Funds - Ballina	180,000	180,000	180,000	180,000	
Bypass Funds - Tintenbar to Ewingsdale	100,000	100,000	100,000	100,000	
<b>Miscellaneous Projects</b>					
Safer Roads - Byron Bay / Byron Street Roundabout	1,453,000		1,453,000		
Wardell Town Improvements	900,000		900,000		
Betterment - Ross Lane	3,800,000		3,800,000		
RERRF River Bank Rd segment 10-50 Rejuvenation	300,000		300,000		Regional Emergency Road Repair Fund
RERRF Hermans Lane segment 30-Foam Bitumen Stabilization	569,000		569,000		Regional Emergency Road Repair Fund
RERRF Humpty Back Rd segment 20-Foam Bitumen Stabilization	356,000		356,000		Regional Emergency Road Repair Fund
RERRF Reedy Creek Rd segment 10 -Foam Bitumen Stabilization	296,000		296,000		Regional Emergency Road Repair Fund
RERRF Empire Vale Rd segment 30	306,000		306,000		
River Street - Recovery and Resilience Funding	70,000	1,850,000	70,000	1,850,000	
<b>Section 7.11</b>					
<b>Hutley Drive - Middle Connection (100%)</b>	<b>50,000</b>		<b>50,000</b>	<b>50,000</b>	<b>Further consultancies - Section 7.11 funded</b>
River Street - Fishery Creek Bridge Duplication (49.6%)	6,000,000	14,200,000	6,000,000	14,200,000	
Tam Drive - North Creek Road to Kerr Street - 4 Lanes (98.6%)	0	8,680,000	0	8,680,000	
Tam Drive - Canal Bridge Duplication (98.6%)	8,000,000	7,520,000	8,000,000	7,520,000	
North Creek Road and Bridge (100%)	300,000	200,000	300,000	200,000	
Nth Creek Road between Tam Drive/Sth X Drive - 4 Lanes(100%)	800,000	1,600,000	800,000	1,600,000	
Barlows Road Connection (64.5%)	100,000		100,000		
Section 7.11 - Reseals and Heavy Patching	170,000	200,000	170,000	200,000	
<b>Recurrent Program - Urban and Rural and Dust Seal</b>					
Russell Street, Ballina Segment 10	330,000		330,000		
Coast Road LRCI 4	290,000		290,000		LRCI Round 4 - Must be completed by 30 June 2025
Burnet Street, Ballina Segment 60	340,000		340,000		
Kalinga Street, Ballina Segment 50	187,000		187,000		
Fox Street, Ballina Segment 90	495,000		495,000		
Helen Court, Ballina Segment 10	145,000		145,000		
Hickey Street, Ballina Segment 20	372,000		372,000		
Winton Lane, Ballina Segment 20	296,000		296,000		
Skinner Street, Ballina Segment 20	331,000		331,000		
Temple Street, Ballina Segment 10		1,188,000		1,188,000	
Hickey Place, Ballina Segment 30		200,000		200,000	
Mary Street, Ballina Segment 10		215,000		215,000	
Kalinga Street, Ballina Segment 30		776,000		776,000	
Moon Street, Ballina Segment 20		650,000		650,000	
Valley Drive, Alstonville Segment 30		170,000		170,000	
Skennars Head Road, Segment 80		522,000		522,000	
Skennars Head Road, Segment 70		105,000		105,000	
Cawarra Street, Ballina Segment 20		220,000		220,000	
River Drive Segment 70	335,000		335,000		
Beacon Road Segment 10	285,000		285,000		
Teven Road Segment 60	345,000		345,000		
Pimlico Road Segment 100	450,000		450,000		
The Coast Road Segment 200		362,000		362,000	
Houghlahans Creek Road Segment 150	536,000		536,000		
Bagotville Road Segment 30		131,000		131,000	
Kirklands Road Segment 20		725,000		725,000	
Phillips Lane Dust Seal	55,000		55,000		
Cooks Lane Dust Seal	47,000	60,000	47,000	60,000	
Bartletts Lane Dust Seal		154,000		154,000	
<b>Roads to Recovery Funding - Additional Funds - Unallocated</b>			<b>550,000</b>	<b>566,000</b>	<b>Council has received notification of additional funds through this program</b>
<b>Bridges</b>					
Bridges - Other	124,000	128,000	124,000	128,000	
<b>Sub Total - Roads and Bridges</b>	<b>30,980,000</b>	<b>42,479,000</b>	<b>31,530,000</b>	<b>43,095,000</b>	

Water - Asset Description	Draft LTFF		Recommended		Report Comments
	2024/25	2025/26	2024/25	2025/26	
<b>Main Renewals</b>					
Recurrent	200,000	200,000	200,000	200,000	
Crane Street (Moon to Kerr Streets), Ballina	323,000		323,000		
Norton Street, Ballina	400,000		400,000		
Rayner Lane / Rutherford St, Lennox Head	250,000		250,000		
The Avenue, Alstonville	60,000		60,000		
Noryn Avenue, Ballina	50,000				Project now complete - Delete
West Ballina Secondary Supply	500,000				Project now being delivered in Trunk Mains - Delete
Martin Street, Ballina	500,000		500,000		
Stonehenge Place, Lennox Head	10,000	200,000	10,000	200,000	
Ballina Road, Geoff Watt Oval Connection	200,000		200,000		
Sunrise Crescent, Lennox Head	15,000	200,000	15,000	200,000	
<b>Water Reservoirs</b>					
Reservoir - Ross Lane		1,500,000		1,500,000	
Reservoir - Pine Avenue	75,000		75,000		
Reservoirs - Exterior Painting	50,000		50,000		
<b>Miscellaneous</b>					
Telemetry	10,000	10,000	10,000	10,000	
Reticulation Valve Replacement	50,000	50,000	50,000	50,000	
Water Loss Reduction	50,000		50,000		
Summerhill Estate	100,000		25,000		Revised scope
Depot - Administration Building	900,000	1,000,000	1,312,500	1,000,000	Based on Tender
<b>Water Pump and Bore Stations</b>					
Ballina Heights Booster Pump Upgrade		200,000		200,000	
<b>Trunk Mains</b>					
North Ballina Distribution Mains		1,100,000		1,100,000	
Russellton Reticulation Mains		160,000			Developer to deliver - Delete
West Ballina Bypass Distribution Main	500,000		500,000		
Lennox Palms Distribution and Reticulation		390,000			Developer to deliver - Delete
Bentlnck Street (Owen / Kingsford Smith)		110,000		110,000	
North Creek Road / Angels Beach Drive	500,000		500,000		
Basalt Court Gravity Main Augmentation	50,000	1,000,000		50,000	Developer dependent - Push back one year (\$1m to 2026/27)
<b>Plant and Equipment</b>					
Vehicle and Plant Replacement	100,000	100,000	100,000	100,000	
<b>Service Connections</b>					
Water Meter - New	260,000	270,000	260,000	270,000	
Water Meter - Replacement	80,000	80,000	80,000	80,000	
<b>Total</b>	<b>5,233,000</b>	<b>6,570,000</b>	<b>4,970,500</b>	<b>5,070,000</b>	

Wastewater - Asset Description	Draft LTFFP		ET Review		Report Comments
	2024/25	2025/26	2024/25	2025/26	
<b>Pumping Stations</b>					
Wet Well Relining	150,000	200,000	150,000	200,000	
Pumping Stations - Renewals	200,000	200,000	200,000	200,000	
Pumping Stations - Switchboard Renewals	500,000	500,000	500,000	500,000	
Pumping Station - SPS 2101 Rebuild	50,000	250,000	50,000	250,000	
<b>Pumping Station - Odour Control</b>	<b>100,000</b>			<b>100,000</b>	Defer to 2025/26
<b>Treatment Facilities - Minor Works</b>					
Treatment Plant Ballina	20,000	20,000	20,000	20,000	
Treatment Plant Lennox	20,000	20,000	20,000	20,000	
Treatment Plant Alstonville	10,000	10,000	10,000	10,000	
Treatment Plant Wardell	10,000	10,000	10,000	10,000	
<b>Ballina Treatment Plant Upgrade</b>					
<b>Ballina - Defect Rectification</b>	<b>3,400,000</b>	<b>3,000,000</b>	<b>3,400,000</b>	<b>3,000,000</b>	Project ahead of schedule - May need to move funds forward
Ballina - Solar	560,000		560,000		
Ballina - Roof Replacement		250,000		250,000	
Ballina - Hypo Dosing	100,000		100,000		
Ballina - Sludge Digester Bypass	100,000		100,000		
Ballina - Sludge Digester Aeration Upgrade	100,000	200,000	100,000	200,000	
<b>Lennox Head Treatment Plant Upgrade</b>					
Lennox - Treatment Master Plan	50,000	150,000	50,000	150,000	
Lennox - Aeration Optimisation		200,000		200,000	
<b>Lennox - Solar</b>	<b>610,000</b>		<b>10,000</b>	<b>600,000</b>	Options in 2024/25 and construction in 2025/26
Lennox - Chlorination Renewal	290,000		290,000		
Lennox - Belt Press	50,000	200,000	50,000	200,000	
Lennox - Low Lift Pumps		200,000		200,000	
Lennox - Balance Pond Pumps		150,000		150,000	
Lennox - Sludge Return	100,000		100,000		
Lennox - WAS Pump Upgrade	150,000		150,000		
Lennox - Hydrochloric Acid Dosing Upgrade	50,000		50,000		
<b>Alstonville Treatment Plant Upgrade</b>					
Alstonville - Biosolids	200,000	1,700,000	200,000	1,700,000	
<b>Alstonville - Aerator Replacement</b>		<b>200,000</b>			Project complete - Delete
Alstonville - WAS Pump Upgrade	150,000		150,000		
Alstonville - Staff Facilities		100,000		100,000	
Alstonville - Dosing Upgrade	50,000	200,000	50,000	200,000	
<b>Wardell Treatment Plant Upgrade</b>					
Wardell - Treatment Master Plan		100,000		100,000	
Wardell - UV Replacement	30,000	300,000	30,000	300,000	
<b>Trunk Mains</b>					
Rising Main - Swift Street, Ballina	0	100,000		100,000	
GM4104 - Trans Mains, Alstonville / Wollongbar	350,000		350,000		
<b>GMWUEA - Gravity Main, Wollongbar</b>	<b>150,000</b>	<b>50,000</b>			Developer to deliver - Delete
Rising Main - Skinners Street / Crowley, Ballina		50,000		50,000	
Rising Main - SP2017 Temple Street, Ballina	250,000	100,000	250,000	100,000	
Rising Main - SP2203 Racecourse Road, Ballina	125,000		125,000		
Rising Main - SP2014 Webster Lane		90,000		90,000	
Rising Main - SP2312 Junction Shelly Beach, Ballina	5,000		5,000		
Gravity Main - SP2311 Bayview Drive Duplication, Ballina		30,000		30,000	
Gravity Main - SP3001 Byron Street, Lennox Head		50,000		50,000	
<b>Mains - Renewals</b>					
Main Renewals	100,000	100,000	100,000	100,000	
<b>Rising Main - Seamist Place, Lennox Head</b>	<b>400,000</b>				Project under review - Delete
Relining Works	300,000	310,000	300,000	310,000	
Rising Main - Serpentine, Ballina	5,000	20,000	5,000	20,000	
<b>Plant and Equipment</b>					
Plant Replacement Program	200,000	200,000	200,000	200,000	
<b>Other Miscellaneous Works</b>					
SCADA and Telemetry Improvements	210,000	300,000	210,000	300,000	
Cronulla Street (Midden Site) Rehabilitation	40,000		40,000		
<b>Depot - Administration Building</b>	<b>900,000</b>	<b>1,000,000</b>	<b>1,312,500</b>	<b>1,000,000</b>	Based on Tender
<b>Reuse Program</b>					
<b>Ross Lane - Dual Reticulation Reservoir</b>	<b>100,000</b>	<b>500,000</b>			Developer dependent - Defer to 2026/27 and 2027/28
Recycled Water Meters New	50,000	50,000	50,000	50,000	
Distribution Main - Henderson Farm	50,000	100,000	50,000	100,000	
Distribution Main - Meadows Estate		190,000		190,000	
Distribution Main - Greenfield Grove		60,000		60,000	
Distribution Main - Lennox Head		350,000		350,000	
Main Extension - Palm Lake		50,000		50,000	
Connection - Convair and Airport	500,000		500,000		
Main - Ferngrove to Ballina	150,000		150,000		
Links Ave to Prospect Bridge RW Main	600,000		600,000		
Links Ave to Chickiba RW Main		300,000		300,000	
Recycled Water - Bulk Filling Point	50,000		50,000		
RWP61 Lennox Head		50,000		50,000	
RWP63 Lennox Head		70,000		70,000	
	<b>11,585,000</b>	<b>12,280,000</b>	<b>10,647,500</b>	<b>12,230,000</b>	

## 10.1 Water and Wastewater Development Servicing Plans - Adoption

Anonymous User just submitted the survey Feedback - DSPs: Water Supply, Wastewater and Recycled Water Infrastructure with the responses below.

**Your Name**

Costas Alexandrou

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**Phone Number**

██████████

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**Your email address**

████████████████████

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**Were the documents easy to read and understand?**

Yes

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**Do you support the overall objectives and content of the documents?**

Yes

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**Please provide further information about your response below.**

On behalf of the land holders and developers of CURA B, APD Projects makes this submission. We are generally in agreement with Water and Wastewater DSP's and pleased to see the inclusion and timing of delivery of the CURA B infrastructure, including the interim SPS. Our support is subject to: 1. Council, CURA A and CURA B developers entering into a suitable agreement to allow CURA B to: a. lodge properly made development applications over the CURA B land and obtain approvals b. provide easement rights for applications and delivery of interim and future infrastructure over CURA A land c. provide opportunity for CURA B the ability to install future infrastructure as part of Council's interim works (at CURA B cost) d. Council to deliver the interim infrastructure We note a draft agreement has been circulated to all parties to document the above previously agreed terms 2. The review and further explanation of the increase in charges for the wastewater network.

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**I have read and agree with Council's [Privacy Policy](#)**

Yes

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**Do you wish your submission to be treated as confidential?**

No

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