

Agenda

A Ward Committee Meeting12 November 2024

An A Ward Committee Meeting will be held in the Ballina Shire Council Chambers, 40 Cherry Street, Ballina on 12 November 2024 commencing at 4:00 PM.

- 1. Acknowledgment of Country
- 2. Attendance and Apologies (including updates/changes in membership)
- 3. Declarations of Interest
- 4. Presentations
- 5. Confirmation of Minutes Tuesday, 27 August 2024
- 6. Business Arising from Minutes Tuesday, 27 August 2024
- 7. Business With Notice
- 8. General Business
- 9. Business Without Notice
- 10. Council Documents on Exhibition
- 11. Next Meeting/Future Meeting Dates
- 12. Meeting Closure

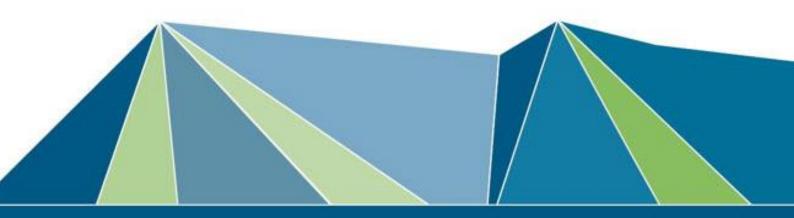


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- 1. Acknowledgment of Country
- 2. Attendance and Apologies (including updates/changes in membership)
- 3. Declarations of Interest
- 4. Deputations
- 5. Confirmation of Minutes

1. Acknowledgment of Country

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

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

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

3. Declarations of Interest

4. Presentations

5. Confirmation of Minutes

A copy of the Minutes of the A Ward Committee Meeting held on Tuesday 27 August 2024 to be confirmed.

RECOMMENDATION

The A Ward Committee Meeting held on Tuesday 27 August 2024 be confirmed.

6. Business Arising from Minutes

6.1 <u>Business Arising from Minutes of 9 July and 27 August 2024 – Ballina</u> Evening View Club - Footpath / Laneway Pedestrian Safety

Item 6.3 Footpath / Laneway pedestrian Safety

Julie Stephan noted that motorists may not be aware of the requirement to give way to pedestrians as well as motorists at either end of lanes. Concerns also raised that there are no indicators to pedestrians that they have changed from footpath to roadway (e.g. no change in surface level), and that vegetation blocks vision in some laneway intersections (e.g. especially near psychologist).

Julie suggested use of Community Connect to provide some in relation to intersection rules.

Action: Communications section to consider article in Community Connect addressing intersection rules and associated safety matters.

Staff comment:

Council's Road Safety Officer will research specific location and adequate communications to help raise awareness for consideration in the next Community Connect.

Attachment(s)

6.2 <u>Business Arising from Minutes of 27 August 2024 - Ballina Lighthouse</u> and Lismore Life Saving - Shaws Bay - Separate Access for Swimmers and Craft Users

Item 8.1 Separate Access for Swimmers and Craft Users

At the meeting Therese again raised concern about near misses, noting that it is not such an issue when locals are present. However, in busier times, during warmer weather and school holidays etc, there is the potential for increased risk of accidents and, therefore, some kind of regulation required.

Mayor raised that there has also been feedback about the need to regulate fishing in Shaws Bay.

Matt confirmed that fishing is not for Council to regulate, as it comes under jurisdiction of NSW Fisheries.

Therese also raised issue of regulating fishing on dog beaches, due to risk of injury to dogs from fishhooks.

Therese suggested use of Community Connect to raise awareness around shared use of Shaws Bay and dog beach adjacent to Kingsford Smith Drive.

Action: Communications section to consider article in Community Connect about shared use of Shaws Bay and dog beach areas.

Staff comment:

Communications to research shared uses for publication in a future (potentially December) issue of Community Connect.

Attachment(s)

6.3 <u>Business Arising from Minutes of 27 August 2024 - Cumbalum Residents</u> Association - Council's decision to defer Barlows Road link

Item 8.7 Council's decision to defer Barlows Road link

At the meeting there was further discussion about grant funding and the extent of works for the Tamarind Drive upgrade, investigations required for the Barlows Road project and the Cumbalum Interchange.

Action: Civil Services to advise on purpose of a traffic counter located on Tamarind Drive near speed zone change at the edge of Ballina.

Staff comment:

At the 9 April 2024 Finance and Facilities Committee meeting, Council considered a report titled "Community Infrastructure – Non-Recurrent Capital Projects".

This report, which is presented to Council each year in formulating the annual budget, examines all the capital projects that are under consideration by Council, that do not form part of the recurrent funded capital works program.

Recurrent funded capital works relates to road reconstruction, stormwater renewal, footpaths, sports fields facilities and community buildings, where is there is annual budget allocated each year.

Non-recurrent capital projects are typically large one-off works that are not undertaken each year.

A key part of the Non-Recurrent Capital Projects is all the works identified in Council's Section 7.11 Developer Contributions Plan for Roads.

A link to that Contributions Plan is as follows:

Ballina Shire Roads Contribution Plan Version 4.2.DOCX

The report to the April 2024 Finance and Facilities Committee meeting confirmed that the Barlows Road link was now estimated to cost approximately \$15m.

This report also confirmed Council had secured approximately \$40m through the State Government's Northern Rivers Recovery and Resilience Program (Tranche 2), for the duplication of the Fishery Creek Bridge and the Canal Bridge, upgrading and four laning parts of Tamarind Drive and raising evacuation routes on Ballina Island and West Ballina, primarily River Street.

As per the report, it was important that any road developer contributions held by Council be applied to the Fishery Creek Bridge and Canal Bridge projects, as the grant funds are well short of the funding needed for these projects.

6.3 Business Arising from Minutes of 27 August 2024 - Cumbalum Residents Association - Council's decision to defer Barlows Road link

Based on this, Council only included \$100,000 in the 2024/25 budget to allow all the various approvals for the Barlows Road project to be finalised, with the focus for capital works being on the bridge duplication works for the next two to three years.

This then ensure the Barlows Road link can be commenced when there is funding available.

Council does not have the financial capacity, or resources, to be undertaking the Barlows Road link, while undertaking the bridge duplication projects, which must be completed as the higher priority, due to the NRRR grant conditions, which require the grant funds to be fully expended by June 2027.

Attachment(s)

6.4 Business Arising from Minutes of 27 August 2024 - Dementia Inclusive Ballina Alliance - Planting around Letterboxes

6.4 <u>Business Arising from Minutes of 27 August 2024 - Dementia Inclusive</u> <u>Ballina Alliance - Planting around Letterboxes</u>

Item 9.1 Planting around Letterboxes

Meg Pickup enquired if Council has any influence over what people plant around letterboxes (eg spikey/prickly plants planted near letter boxes) in the context of the Dragon Boat Club delivering Community Connect. Matt noted that Council cannot control this. Meg asked if information can be included in Community Connect to encourage clear access to mailboxes.

Action: Communications section to consider item in Community Connect on clear access to mailboxes.

Staff comment:

Communications will include in December issue of Community Connect.

Attachment(s)

6.5 <u>Business Arising from Minutes of 27 August 2024 - Dementia Inclusive</u> Ballina Alliance - Local Area Health District - Supply from Norco Milk

Item 9.3 Letter of Support – Local Area Health District – Supply from Norco Milk

Meg Pickup raised that the Local Area Health District will no longer be buying Norco milk and enquired if Council could express concern about this change, noting that a petition is being put to parliament. Mayor stated would offer letter of support.

Action: Correspondence to be prepared from Mayor to NSW Health regarding dairy purchase in local hospitals.

Staff comment:

Letter issued to Th Hon. Ryan Park MP, Minister for Health and Regional Health on 23 October 2024 (attached below).



Attachment(s)

7. General Business

7.1 Appointment of Chair

As this is the first meeting of the Committee following the recent Council election, the Committee is required to elect a Chairperson.

The position of Chairperson is only available to a Councillor.

The election of a Chairperson can be for a period of time or for the term of this Council, which is scheduled to conclude in September 2028.

The election options are as follows:

- One Councillor nominated to Chair for the entire Council term (November 2024 to September 2028)
- Councillors elect to share Chair first period from November 2024 to September 2025 (followed by annual periods).

An election follows the open voting method, that is, a show of hands.

Attachment(s)

7.2 <u>Committee Guidelines</u>

Ward Committees provide Council with feedback and policy advice on matters referred to them by Council and/or raised by members. Ward committees have no delegated authority.

Ward Committee membership is open to not-for-profit community groups, with eligible groups having one representative on a committee. Committee members must advise by email if they cannot attend a meeting and provide the details of the alternate representative.

Other members of the non for profit organisation may attend the meeting in an observer capacity only and cannot participate in the meeting discussions. Details of any observers attending also need to be advised by email prior to the meeting.

Items to be Included on Agendas

Committee Members are encouraged to email any items to be included in the agenda for the next meeting. An email will be sent to all members requesting items and providing a closing date. This will enable Council staff to liaise with relevant Council Officers to ensure that a response can be provided at the meeting.

Committee members are encouraged to contact Council on 1300 864 444 where matters relating to public safety are identified in the community rather than wait until the next Ward Committee meeting to raise these types of issues. For example, road or footpath conditions that raise safety concerns, the presence of hazards in public spaces or environmental damage should be reported to Council as soon as possible.

Attachment(s)

7.3 Code of Conduct

As this is a new term of Council it is important for all members to be aware of Council's Code of Conduct, which applies to Councillors, Council staff, members of council committees and various other parties.

A copy of the Code of Conduct is available from our website at the following link:

Code of Conduct (nsw.gov.au)

A key message from that document is that all members of the committee must act ethically, honestly, fairly and treat all members, and their views, with respect.

Attachment(s)

7.4 Public Interest Disclosures Act

The <u>Public Interest Disclosure (PID) Act 2022</u> came into effect in NSW from 1 October 2023.

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

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

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

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

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

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

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

In September 2023 Council adopted the <u>Public Interest Disclosure Policy</u>. The policy documents Council's commitment to building a speak up culture and provides information to all public officials of Ballina Shire Council about:

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

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

Attachment(s)

7.5 Current Membership - A Ward Committee

Following the Council election it is normal practice for the elected Council to review its Committees and their membership.

In respect to the Ward Committees, Council has resolved to retain all three Committees (A, B and C) and all existing members are entitled to continue with their membership.

Council also resolved to call for expressions of interest for further membership, in case there are any additional community based groups interested in joining.

The expressions of interest (EOI) will be reported to the elected Council for endorsement at a future Ordinary meeting.

The current Committee membership is as follows:

Organisation
Ballina Day View Club
Lighthouse Day Club
Ballina Environment Society (BES)
Ballina CWA
Ballina Chamber of Commerce & Industry
East Ballina Lions Club
Ballina Bears Cricket Club
Ballina & District Citizens & Ratepayers Association
Ballina Peninsular Residents Association
Ballina Evening View Club
Ballina Lighthouse & Lismore Surf Lifesaving Club
Ballina Coast High School
Cumbalum Residents Association
Dementia Inclusive Ballina Alliance
Ballina Croquet Incorporated
St Vincent de Paul
Northern Rivers Disc Golf Club
Ballina Cancer Advocacy Network
Ballina Naval and Maritime Museum

A further report will be presented to the next meeting in March 2025.

Attachment(s)

8. Business With Notice

8.1 <u>Business With Notice - Ballina Naval and Maritime Museum - Mother of</u> Millions Noxious Weed

Margery Fitzgerald raised the issue of the spread of Mother of Millions weed that has been growing along North Creek Revetment Wall (near Namatjira Place, Ballina) for a number of years and requested Council consider a review of management of the weed.

Staff Comment

Most of the rock walls are Crown Lands owned and controlled. The area indicated around Namatjira Place is controlled by Crown Lands and unfortunately, they don't do much weed control. Council and Landcare groups assist control weed species that are a bio-security risk on other government lands.

As part of Council's flood debris management, bi-annual sweeps are undertaken for weed species that are a bio-security risk. This is done on the Ballina Island, particularly around public areas, and this area may be considered now.

Council appreciates volunteers removing the weed species that are bio-security risks, and note that if they are removed, they should be placed in red lidded waste bin to ensure there is no further spread.

Attachment(s)

8.2 <u>Business With Notice - Ballina Naval and Maritime Museum - Protecting</u> P.V. Richmond Update

Margery Fitzgerald provided the following update provided by the Museum's curator/manager on the progress of the enclosure of the P.V. Richmond at the Ballina Naval and Maritime Museum (and short history of the Richmond):

Protecting P.V. Richmond

The Pilot Vessel Richmond arrived in Ballina in 1932 and for the next 50 years worked at the Port of Ballina.

No longer required for service, the Maritime Services Board formally presented the vessel to the people of Ballina Shire in 1982.

Situated at the front of the Museum in Regatta Avenue, mounted on concrete blocks, the 11metre (36 foot), vessel forms a static display, protected by a metal awning to shelter her from the worst of the weather, although she is subjected to wind-blown rain.

Her significance to the region was finally recognised when she was finally recognised when listed as a local Heritage item and registered with the Australian National Maritime Museum as an historical vessel.

The P.V.Richmond has technical and aesthetic significance, as well as an example of past craftmanship.

She provides an important insight into the lives of those who worked her, defended and protected seafarers.

Museum volunteers commenced restoration work over four years ago, but it soon became evident that she must be fully protected from the elements to ensure our efforts will be successful.

The Museum has saved significant funds, (\$350,000), to contribute towards building an extension to bring the Richmond into the Museum.

Three years ago, the Museum submitted a DA which has finally been approved.

The Ballina Council rejected our proposed architectural plans, appointing their own preferred Architect to submit his plans, however he left the project unfinished.

The "Red Tape" for this project has been "long, thick and expensive". Enter Amanda Whitting from AEW Drafting and Design. Amanda has previously worked on the Heritage listed vessel, the "Florrie". Amanda has graciously offered her expertise cost free.

Finally, through her efforts, we have at the beginning of October 2024, been able to approach builders for quotes.

Once these quotes have been received, we will be able to apply for grants from:

- 1. Federal Member for Richmond, Justine Elliot
- 2. State Government Representatives
- 3. Ballina Shire Council.

Ron Creber Curator/Manager

Staff Comment:

Council have provided support to progress this project, however there are no Council funds allocated to the project, and it is not listed in Council's Delivery Program and Operational Plan (DPOP).

Our Facilities Management section assisted with specialist reports by consultants that enabled development consent in 2023. This came at a cost of approximately \$45,000. Unfortunately, the draftsman who assisted with the design retired, so a new consultant has been required. This consultant has been assisted by Council staff to progress the project.

Unfortunately, Ballina Shire Council does not have a grant program to accommodate a project of this magnitude.

Attachment(s)

8.3 <u>Business With Notice - Cumbalum Residents Association - Request for</u> Dog Waste Bags - Power Drive Cumbalum

Numerous Cumbalum residents have requested that a dog station (dog poobags) be installed along Power Drive near the Cumbalum Sports Fields.

Staff Comment

Currently under the Companion Animals Management Plan, dog poo bag dispensers are identified to be installed adjacent to off leash exercise areas and along the main coastal walkway. Council receives many requests and need to be fair and consistent as to the location they are installed.

It is always the responsibility of a dog owner to carry a bag to collect and dispose of dog poo.

The Companion Animal Management Plan is due to be reviewed next year and this request has been noted.

Attachment(s)

8.4 <u>Business With Notice - Ballina Croquet Incorporated - Hampton Park</u> <u>Master Plan Update</u>

Richard Hughes requested the following information re Hampton Park:

1. What stage is the review of the Hampton Park Master Plan of Management at?

Staff Comment:

Submissions to community engagement undertaken to date have been reviewed. Reporting on the outcomes of the community engagement in association with a draft master plan is in preparation.

2. When will it be submitted to an Ordinary Council meeting?

Staff Comment:

It is anticipated the matter will be reported to Council at its November or December Ordinary meeting to seek direction from Council regarding the public exhibition of a draft master plan.

3. When will the community be invited to make submissions about the draft Plan of Management?

Staff Comment:

Yes, if the Council endorses a draft plan for public exhibition.

4. Once the Ballina Bowling Club lease areas are consolidated and Crown Lands becomes the Crown Lands Manager does this mean that residents, ratepayers and Council will have no input into how the lease area is used and changes to the use of the lease area?

Staff Comment:

Residents, users, ratepayers and Council can have a say in how Crown Land managed directly by the State Government is used and managed. Engagement though in this regard is with Crown Lands rather than via Council's leasing and licensing processes.

Attachment(s)

8.5 <u>Business With Notice - Dementia Inclusive Ballina Alliance - Cawarra Park</u> Masterplan Update - Rainbow Region Dragon Boat Club

Meg Pickup, as a member of the Rainbow Region Dragon Boat Club which is currently based at 26 Endeavour Close, Ballina, on a shared lease agreement with the TS Lismore Navy Cadets.

This lease agreement doesn't provide a secure future for our club and the two groups have different priorities. We ask for your support for our local sports club with local members, as we search for a secure future. Will you progress the implementation of the Cawarra Park Master Plan, adopted by council in November, 2022?

Staff Comment

The boat storage facility identified in the Cawarra Park master plan is not currently funded for construction under Council's long term financial plan. Progression of the facility's construction is reliant on grant funding which to date has not been secured.

The club could make a submission for provision of the facility to the delivery program and operational plan (DPOP) and budget next financial year (2025/26) for the consideration of the Council relative to various other infrastructure programs and requests. The DPOP and long-term financial plan are reviewed by Council around April/May each year, with public submissions invited in May/June.

Attachment(s)

8.6 Business With Notice - Dementia Inclusive Ballina Alliance - Traffic Lights in River Street, Ballina

8.6 <u>Business With Notice - Dementia Inclusive Ballina Alliance - Traffic Lights</u> in River Street, Ballina

Meg enquired if a second set of traffic lights in River Street, West Ballina between Quays Drive and Burns Point Ferry Road would be considered to make it safer for pedestrians to cross River Street.

Staff Comment:

Pedestrian counts were conducted as part of the River Street duplication project and the numbers were insufficient to warrant two formalised crossing locations.

There are six pedestrian refuges and one set of traffic lights between Burns Point Ferry Road and Barlows Road. The assessment deemed this to be sufficient for the current volume of users.

Attachment(s)

8.7 Business With Notice - Ballina Dementia Inclusive Alliance - BISC Carpark Flooding Issue

8.7 <u>Business With Notice - Ballina Dementia Inclusive Alliance - BISC Carpark</u> Flooding Issue

Meg raised the issue of BISC carpark flooding during persistent heavy rain periods. Has Council planned to ameliorate this problem?

Staff Comment:

This section of Cherry Street doesn't have any budget allocation in the Delivery Program and Operational Plan (DPOP).

Council's DPOP is reviewed annually, and public submissions are invited in May/June each year to consider matters such as this.

Attachment(s)

8.8 <u>Business With Notice - St Vincent de Paul - Formation of Social Justice</u> and Crime Prevention Committee

Janet Chester enquired if Council have considered forming a Social Justice and Crime Prevention Committee to explore positive ways to achieve these objectives.

Staff Comment:

Council considered its committee structure at its October Ordinary meeting and has allocated resources to the operations of the endorsed committees.

The lead on social justice and crime prevention is a State Government responsibility. Council is at times invited to participate in working groups and forums and participates where possible having regard for available resources.

The extent of resources allocated by Council to social justice and crime prevention through a committee or other means could be further considered through a submission to Council's delivery program and operational plan and annual budget so that resources and costs can be considered relative to other requests and Council's overall operations.

Attachment(s)

- 8.9 Business With Notice Ballina Peninsula Ratepayers Association Short and Long Term Maintenance and Longevity of River Drive (Keith Hall and Empire Vale)
- 8.9 <u>Business With Notice Ballina Peninsula Ratepayers Association Short and Long Term Maintenance and Longevity of River Drive (Keith Hall and Empire Vale)</u>

Ros Felsch requested A Ward Councillors consider a Notice of Motion to equip Council to coordinate, develop and implement a strategy with relevant stakeholders for both the short and long term for maintenance and longevity of River Drive, at Keith Hall and Empire Vale.

There has been a long-standing and compelling need to address previous bank erosion resulting in road loss that continues to occur in the vicinity of Danns Lane and Floods Lane locations.

As the only viable access for residents, farmers, businesses and visitors to the Ballina Peninsula between the Burns Point Ferry through to East Wardell it would be pertinent to put in place a delegation of relevant stakeholders now to holistically assess the requirements that will need to be undertaken to deal with the predictable future erosion that threatens further loss of the road for two way vehicle traffic and the unmitigated and catastrophic hazard the deepening channel within meters of the road presents for the drivers and their passengers.

Attachment(s)

9. Business Without Notice

Nil Items

10. Council Documents on Exhibition

10.1 Council Documents on Exhibition

Documents on Exhibition

Documents on public exhibition can be found on our website at the following link:

Your Say Ballina

• Newrybar Streetscape Master Plan – community engagement and public consultation from 14 October to 25 November 2024.

Council Notices

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

Link to Council's Notices

Attachment(s)

11. Next Meeting / Future Meeting Dates

Next meeting is scheduled for Tuesday, 11 March 2025 at 4pm

Tuesday, 11 March 2025 at 4pm Tuesday, 13 May 2025 at 4pm Tuesday, 8 July 2025 at 4pm Tuesday, 9 September 2025 at 4pm Tuesday, 11 November 2025 at 4pm

12. Meeting Closure