

Agenda

B Ward Committee Meeting **18 November 2024**

A B Ward Committee Meeting will be held in the Ballina Shire Council Chambers, 40 Cherry Street, Ballina on **18 November 2024 commencing at 4:30pm.**

1. Acknowledgment of Country
2. Attendance and Apologies (including updates/changes in membership)
3. Declarations of Interest
4. Presentations
5. Confirmation of Minutes – Monday, 15 July 2024
6. Business Arising from Minutes - Monday, 15 July 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

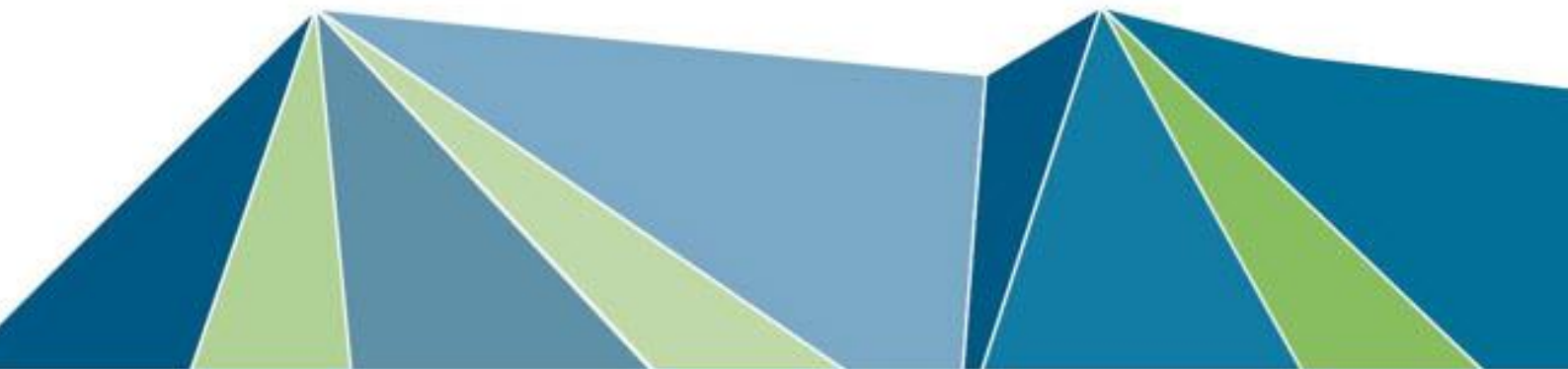


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1. Acknowledgment of Country
 2. Attendance and Apologies (including updates/changes in membership)
 3. Declarations of Interest
 4. Deputations
 5. Confirmation of Minutes
-

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 B Ward Committee Meeting held on Monday 15 July 2024 were distributed with the agenda.

RECOMMENDATION

That Committee confirms the Minutes of the B Ward Committee Meeting held on Monday 15 July 2024.

6.1 Business Arising from Minutes of 18 March 2024 - Lennox Chamber of Commerce - Relocation of RFS and New Car Parking (Water Reservoir)

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The Residents Association have requested that the reservoir be repainted.

Action: John Truman to provide details of the proposed allocation of funds in the 2024/25 budget for water reservoir painting.

Update

Council has resolved to fund painting of the East Ballina and Lennox Head reservoirs during 2024/2025 (refer to August 2024 Council meeting).

Attachment(s)

Nil

6.2 Business Arising from Minutes of 18 March 2024 - Lennox Head Residents Association - Commemorative Plaques - Ross Park

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Action: Manager Open Spaces to contact the Lennox Head Residents Association in response to the Association's message that it agrees to hold the plaques.

Update

The plaques were collected from Council on 6 August 2024.

Attachment(s)

Nil

6.3 Business Arising from Minutes of 15 July 2024 - Scullcandy Competition - Lennox Head

6.3 Business Arising from Minutes of 15 July 2024 - Scullcandy Competition - Lennox Head

Jim Gilchrist provided feedback that the commentator at the Scullcandy competition was very loud and could be heard throughout the town and he asked, for future events, could the volume of the microphone be turned down to lower the impact on community members not associated with the event.

Action: Task to Council's Events Officer for information.

Update

The feedback was discussed with the event organiser as part of the event debrief.

Attachment(s)

Nil

7.1 Appointment of Chair

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 on a rotational basis (eg annually or even periods during the Council term - 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)

Nil

7.2 Committee Guidelines

7.2 Committee Guidelines

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 organization 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.

Where items have been previously raised and addressed, they will not be relisted on the agenda unless there has been a change in the status of the matter.

Attachment(s)

Nil

7.3 Public Interest Disclosures Act

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

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

Specific to members of the 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 [Public Interest Disclosure Policy](#). 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

7.3 Public Interest Disclosures Act

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)

Nil

7.4 Code of Conduct

7.4 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 \(nsw.gov.au\)](https://www.nsw.gov.au/code-of-conduct)

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)

Nil

7.5 **Current Membership - B Ward Committee**

7.5 **Current Membership - B 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 Environment Society
Lake Ainsworth Association
Lennox Community Gardens Inc.
Lennox Head-Alstonville Surf Life Saving Club
Lennox Head Chamber of Commerce
Lennox Head Combined Sports Association
Lennox Head Landcare
Lennox Head Residents Association
Marine Rescue Ballina
NSW Sport & Recreation (Lennox Head) (State Government)

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

Attachment(s)

Nil

8.1 Business With Notice - Preserving Lake Ainsworth Association - Rezoning and Subdivision Proposals

8. Business With Notice

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Jim Gilchrist requested the following information on the B Ward housing development.

1. Could the Council provide a detailed scope of anticipated rezoning and subdivision proposals intended to fulfill State Government objectives?
2. What are the current statuses and plans for the redevelopment of land on each side of Ross Lane?
3. What housing targets has the NSW Government set for the Shire, and how do these targets align or differ from existing preliminary planning?
4. Can the Council provide a map indicating the locations of proposed rezonings necessary to meet these targets, along with an estimated timeline for each?
5. What is the anticipated timeframe for residential rezoning approvals?
6. What is the expected timeline for Development Application (DA) approval for subdivisions?
7. What is the timeline for DA approval for residential building projects?

Staff Comment

Matthew Wood provided the following responses:

Item 1

Council's long term planning for the shire with respect to planned urban growth areas is contained in the Ballina Shire Growth Management Strategy. A copy of the strategy can be viewed online at [Ballina Shire Growth Management Strategy](#)

The overarching strategic planning direction for Ballina Shire is set out in the Ballina Shire Local Strategic Planning Statement which can be viewed at [Local Strategic Planning Strategy 2020](#)

For the urban centres in the shire, Council has place based strategic plans that are aligned with the above mentioned plans. Place based plans including the recently adopted Lennox Head Strategic Plan can be viewed at [Place-based strategic plans | Ballina Shire Council](#)

Council's plans are aligned with the State Government's North Coast Regional Plan which is available at [North Coast Regional Plan 2041 | Planning](#)

8.1 Business With Notice - Preserving Lake Ainsworth Association - Rezoning and Subdivision Proposals

The nature and timing of rezoning and subdivision applications for residential development are subject to lodgement of applications by proponents. A report on the status of current LEP amendments that are under assessment was presented to Council's October ordinary meeting. LEP amendment status is reported periodically to Council every four months.

Item 2

The urban release area adjacent to Ross Lane is known as Kinvara. The urban release area has been zoned for residential purposes. The owner of land south of Ross Lane is currently preparing a development application for subdivision of part of the land for residential development. The proponent is presently undertaking their own community engagement to inform the application process.

Item 3

No specific NSW Government housing targets have been set for Ballina Shire in terms of overall dwelling numbers. However, under the North Coast Regional Plan Council Ballina Shire is identified as a residential growth area and infill and multi dwelling housing is advocated in the strategy.

Ballina Shire has a good supply of greenfield land for residential development as well as opportunity for increased infill development. Planned land supply is suitable for around the next 15-20 years and is considered sufficient to meet population growth at present.

It is important to note however that the release of privately owned planned residential land to the market is not controlled by Council.

Council's approach to housing is set out in the Ballina Shire Housing Strategy - Ballina Shire Housing Strategy.

Item 4

Areas identified as having potential for urban land release are shown in Council's Growth Management Strategy (referenced above). Council does not have estimated timeframes for development of the land as this is subject to a range of highly variable factors.

A land owner can initiate a proposal to rezone a potential urban release area at any time (and equally they can choose not to progress a rezoning as well under the current NSW planning system).

Item 5

The timeframe for a rezoning of land to enable residential development depends on the scale of the proposed development and the nature of the site being considered. As a guide rezonings typically take six to 24 months to complete once they are initially reported to the Council for consideration.

Item 6

Development application for subdivisions also vary in timeframe for determination depending on scale and specific site considerations, and how staging is proposed. Small scale proposals may take in the order of several months whereas larger scale subdivisions can take much longer.

8.1 Business With Notice - Preserving Lake Ainsworth Association - Rezoning and Subdivision Proposals

Item 7

Development application timeframes for houses also varies depending on whether or not the proposed development complies with the planning framework. New homes that comply with the development control plan typically take several months to be determined. Applications that are for houses that seek variance or are non-compliant may take more like six to 12 months to be determined.

Attachment(s)

Nil

8.2 Business With Notice - Lennox Head Landcare - Lennox Head Foreshore Fencing

8.2 Business With Notice - Lennox Head Landcare - Lennox Head Foreshore Fencing

A request was received from Lennox Head Landcare.

Staff Comment

CRM 142474/2024 has been created to assess the fencing and a response will be provided to Lennox Head Landcare.

Attachment(s)

Nil

9. Business Without Notice

9. Business Without Notice

Nil Items

10.1 Council Documents on Exhibition

10. Council Documents on Exhibition

10.1 Council Documents on Exhibition

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

Documents on Exhibition

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)

Nil

11 Next Meeting / Future Meeting Dates

Next meeting is scheduled for Monday 17 March 2025 at 4:30pm.

Monday 19 May 2025 at 4:30pm

Monday 21 July 2025 at 4:30pm

Monday 15 September 2025 at 4:30pm

Monday 17 November 2025 at 4:30pm

12 Meeting Closure

11. Next Meeting / Future Meeting Dates

Next meeting is scheduled for Monday 17 March 2025 at 4:30pm.

Monday 19 May 2025 at 4:30pm

Monday 21 July 2025 at 4:30pm

Monday 15 September 2025 at 4:30pm

Monday 17 November 2025 at 4:30pm

12. Meeting Closure