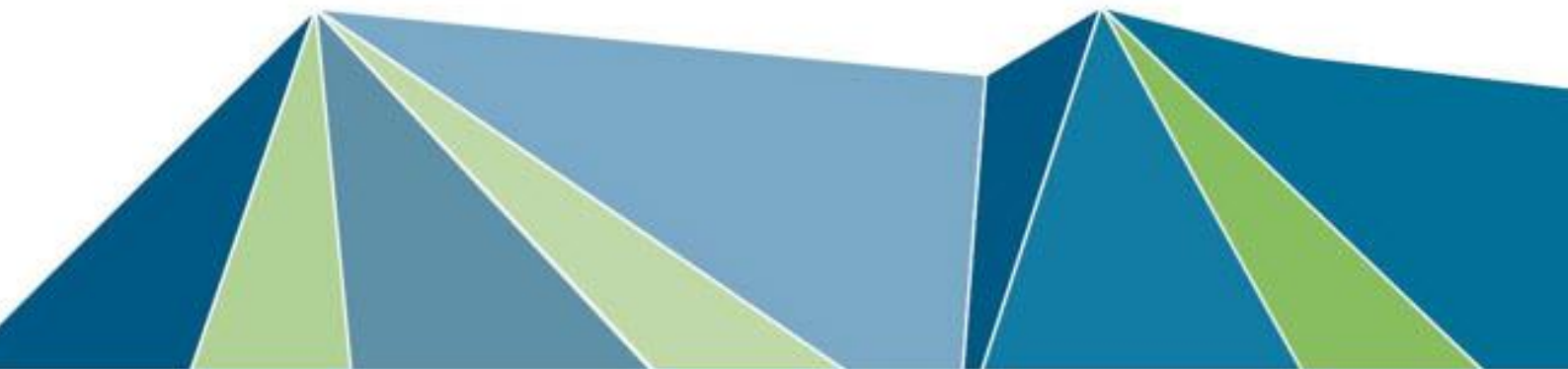


# Agenda

## *A Ward Committee Meeting* 12 March 2024

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

1. Acknowledgment of Country
2. Attendance and Apologies (including updates/changes in membership)
3. Declarations of Interest
4. Presentations
5. Confirmation of Minutes – Monday, 27 November 2023
6. Business Arising from Minutes - Monday, 27 November 2023
7. Business With Notice
8. General Business
9. Business Without Notice
10. Council Documents on Exhibition
11. Next Meeting/Future Meeting Dates
12. Meeting Closure



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

**1. Acknowledgment of Country**

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

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

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

**3. Declarations of Interest**

**4. Presentations**

**5. Confirmation of Minutes**

A copy of the Minutes of the A Ward Committee Meeting held on Monday 27 November 2023 were distributed.

**RECOMMENDATION**

That Council confirms the Minutes of the A Ward Committee Meeting held on Monday 27 November 2023 be confirmed.

**6.1 Business Arising from Minutes of 12 September 2023 and 27 November 2023 - Ballina Lighthouse & Lismore Surf Lifesaving Club - Ballina Surf Club Building Maintenance**

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**6. Business Arising from Minutes**

**6.1 Business Arising from Minutes of 12 September 2023 and 27 November 2023 - Ballina Lighthouse & Lismore Surf Lifesaving Club - Ballina Surf Club Building Maintenance**

**Item 6.2 Ballina Surf Club Building Maintenance**

Therese advised the inspection occurred and noted that drains filled with sand will likely settle and become uneven again. Suggested metal dust would be a better option to fill the drains.

**Action:** Council to investigate a more permanent fix to the drains.

Post meeting note

A customer request (CRM 23/130672) has been prepared and tasked to Open Spaces to investigate a more permanent fix to the drains.

Staff comment

Staff have inspected the Surf Life Saving Club building drains and they are all working correctly. The shower drain separated from the building has a sand build up and is booked for sand removal by machine after the school holidays as it will also remove the grass layer around the shower. This is similar to many popular shower locations and in this case volunteers working with Council's plumber have been maintaining a temporary shower drain for water to enter the dune system away from the shower.

The cleaning of the outside windows is vital so that life savers have a clear line of sight through the windows to the beach. The bottom windows at the front of the clubhouse need cleaning weekly or at least hosing.

**Action:** Council to investigate cleaning of the windows at the front of the clubhouse and review access to taps to allow members to hose / clean windows when necessary.

Staff comment

Council staff communicated with Joanne McIntosh (President, Ballina Lighthouse and Lismore SLSC) regarding the window cleaning of the club. Joanne advised the window cleaning issues have now been addressed and no further action from Council is required.

**Attachment(s)**

Nil

6.2 **Business Arising from Minutes of 12 September 2023 and 27 November 2023 - Ballina Lighthouse & Lismore Surf Lifesaving Club - Off Leash Park Fencing - Shaws Bay**

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6.2 **Business Arising from Minutes of 12 September 2023 and 27 November 2023 - Ballina Lighthouse & Lismore Surf Lifesaving Club - Off Leash Park Fencing - Shaws Bay**

**Item 6.6 Off Leash Park Fencing – Shaws Bay**

Therese added that additional wood is needed under the fence, not necessarily that there is damage to fencing. Dogs can escape at the base of the fencing.

Cr Bruem suggested an information sign may assist the public to understand it is an exercise area not an enclosure. Cr Cadwallader explained it is a dog exercise area and is intentionally not completely closed off.

**Action:** Council to further review the fencing and investigate installing an information sign for users explaining that it is an exercise area.

Staff comment

The request has been recently actioned with the development of new educational signage for this site as an off leash dog exercise area, to be installed early February 2024. Additionally the partial barrier along Compton Drive is being improved by embellishment to the vegetation and hence any gap between ground level and the bottom of the fence will be minimised (to be completed by the end of March 2024).

**Attachment(s)**

Nil

**6.3 Business Arising from Minutes of 27 November 2023 - Northlakes Ballina Group - Northlakes Footbridge Update**

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**6.3 Business Arising from Minutes of 27 November 2023 - Northlakes Ballina Group - Northlakes Footbridge Update**

Paul Monro requested an update on the construction of Northlakes footbridge.

**Action:** Refer to Civil Services to provide an update on the construction of Northlakes footbridge.

Staff comment

An inspection of the remaining timber footbridge has indicated maintenance works were necessary. These works have now been completed.

Replacement of the timber footbridge is not required in the short term.

**Attachment(s)**

Nil

## **7.1 Raising Items Prior to Meetings and Reporting Safety Matters**

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### **7. General Business**

#### **7.1 Raising Items Prior to Meetings and Reporting Safety Matters**

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

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

#### **Attachment(s)**

Nil



## 7.2 Public Interest Disclosures Act

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### 7.2 Public Interest Disclosures Act

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

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

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

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

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

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

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

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

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

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

## 7.2 Public Interest Disclosures Act

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

### Attachment(s)

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

### **7.3 Ward Committees - Meeting Dates - September 2024 Election**

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#### **7.3 Ward Committees - Meeting Dates - September 2024 Election**

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

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

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

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

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

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

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

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

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

Options are:

- Continue with the meeting on the scheduled date – Councillor representatives may or may not be in attendance
- Not hold a September meeting
- Hold the September meeting at an earlier date – perhaps two weeks earlier to avoid pre-polling (i.e. Tuesday 27 August 2024).

The Ward Committee's preference is now sought.

#### **Attachment(s)**

Nil

**8.1 Business With Notice - Northern Rivers Disc Golf Club -Vegetation Maintenance on pathway near Lighthouse Surf Club**

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**8. Business With Notice**

**8.1 Business With Notice - Northern Rivers Disc Golf Club -Vegetation Maintenance on pathway near Lighthouse Surf Club**

Andrew Playford requested Council investigate pruning of overhanging foliage on pathways especially near Lighthouse Surf Club. There was an accident with the pandanus growing close to the path.

Staff Comment

A customer request was logged for staff to investigate the area of pathway on the Lighthouse Surf Club corner (reference number 133532/2024). The pandanus tree near the pathway on the Lighthouse Surf Club corner has been pruned.

**Attachment(s)**

Nil

**8.2 Business With Notice - Northern Rivers Disc Golf Club - Tree Planting around Perimeter of Hampton Park**

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**8.2 Business With Notice - Northern Rivers Disc Golf Club - Tree Planting around Perimeter of Hampton Park**

Andrew Playford enquired what the best process would be to have trees planted around the perimeter of Hampton Park.

Staff Comment

Hampton Park Reserve Master Plan is currently on exhibition. Submissions closed 29 February 2024.

Council welcomed any suggestions / feedback in relation to the Master Plan and submissions can be made separate to the online survey.

**Attachment(s)**

Nil

**8.3 Business With Notice - Northern Rivers Disc Golf Club - Status of Embankment Repairs between Missingham Bridge and Meldrum Park**

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**8.3 Business With Notice - Northern Rivers Disc Golf Club - Status of Embankment Repairs between Missingham Bridge and Meldrum Park**

Andrew Playford requested a status on the repair of the embankment beside the bicycle path between Missingham Bridge and Meldrum Park.

Staff Comment

Design works have been completed. Tender documents are currently advertised. Subject to the response from the market, our program is to complete the tender assessment for reporting to the March Council meeting with works to commence from around April.

**Attachment(s)**

Nil

#### **8.4 Business With Notice - Cumbalum Residents Association - Cumbalum Shopping Precinct**

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#### **8.4 Business With Notice - Cumbalum Residents Association – Cumbalum Shopping Precinct**

The Cumbalum Residents Association requests Council to address the following questions:

- Stage 1 of the Cumbalum shopping precinct has a DA for the required 1000sqm of commercial space that the developer needs to continue developing blocks of land for sale. Stage 1 does not include a supermarket (or most of the other useful things such as child care). Is there a timeframe for stage 2 works (which should include these useful things)?

Staff comment

Timing for Stage 2 works is not known to Council. This is a private development and so is a matter for the proponent.

- Are there any ramifications for the developer if stage 2 does not proceed?

Staff comment

The voluntary planning agreement relates to the initiation of the commercial centre and the availability of 1000m<sup>2</sup> of commercial floor space. It is important to recognise that the agreement is a voluntary one and the proponent has been proactive in seeking to advance the commercial site in response to community and Council feedback. Council cannot though require a landowner to provide commercial space at Cumbalum.

- What are the Council's plans to speed up stage 2 progress to incorporate one of the four principles of their recently released draft housing strategy "*Encourage walkable neighbourhoods with smaller dwellings located close to shops and services*". Numerous residents have voiced the opinion that Cumbalum has been left behind other areas of Ballina Shire, for too long and there has never been any shop or service in walkable distance. It seems the developers will get away with doing the bare minimum and continue to be able to sell blocks of land unless Council continues to put additional voluntary planning agreements in place for subsequent stages of development.

Staff Comment

The planning process seeks to make provision for key infrastructure and facilities and this has been the case in Cumbalum. This does not always align though with how subdivisions are marketed and ultimately built. Some infrastructure and facility elements are not delivered or required by Council and their construction / delivery is a decision for private landholders / developers.

#### **Attachment(s)**

Nil

**8.5 Business With Notice - St Vincent de Paul - Establishing a Police Citizens Youth Club (PCYC) in Ballina**

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**8.5 Business With Notice - St Vincent de Paul - Establishing a Police Citizens Youth Club (PCYC) in Ballina**

Janet Chester enquired if Council would assist / support Police in any way to establish a PCYC in Ballina.

Staff Comment

Council has previously considered PCYC proposals and has resolved not to proceed with proposed arrangements or has not been able to identify suitable opportunities. There is no funding allocated in Council's long term financial plan for PCYC facilities.

**Attachment(s)**

Nil



**8.6 Business With Notice - St Vincent de Paul - Activities for Youths**

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**8.6 Business With Notice - St Vincent de Paul - Activities for Youths**

Janet Chester enquired what support Council give to activities for youths in the Ballina Shire.

Staff Comment

Council has sought to provide a mixture of youth oriented infrastructure including open space and facilities for various sporting activities. Council is currently planning for increased half court basketball facilities and a BMX pump track as part of ongoing initiatives aligned with youth activities.

Council does not run youth specific programs as a service provider. This would require a different level of resourcing which is not currently planned for in Council's long term financial plan or delivery program and operational plan.

**Attachment(s)**

Nil

## **8.7 Business With Notice - St Vincent de Paul - Alternatives for Rangers Relocating Homeless People**

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### **8.7 Business With Notice - St Vincent de Paul - Alternatives for Rangers Relocating Homeless People**

Janet Chester enquired what alternatives there are for Rangers relocating homeless people.

#### Staff Comment

NSW has a Protocol for Homeless People in Public. Link is provided below.

<https://www.facs.nsw.gov.au/providers/working-with-us/programs/homelessness/specialist-services/partnerships/safe-in-public/protocol>.

The protocol states:

People experiencing homelessness have the same rights as any member of the public to:

- be in public places
- participate in public activities or events
- carry with them and store their own belongings
- request or decline support or assistance.

Council Rangers work based on this protocol. Rangers and Police may move homeless persons on where there are safety type concerns or other public interest issues that warrant action.

Where possible, homeless persons are referred on to relevant Government and community based services.

#### **Attachment(s)**

Nil

## **8.8 Business With Notice - St Vincent de Paul - Council Outsourcing Garbage Collection**

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### **8.8 Business With Notice - St Vincent de Paul - Council Outsourcing Garbage Collection**

Janet Chester enquired why Council is planning to outsource garbage collection and does this mean that garbage collectors get paid less by the contractor.

#### Staff comment

Council has decided to procure its kerbside waste collection service through a contract. The primary reason for this decision is to mitigate service risks. Service delivery is very dependent on the availability of plant and staff resources. Large specialist companies are in a better position to manage the risk of plant breakdowns and the retention or recruitment of experienced operators when compared to Council. Recent changes in the employment market, the increasing amount of technology in the fleet, and the increase in demand associated with population growth were all creating challenges for Council to manage and this change was a decision to manage this risk before our service standards became compromised.

The contract has also improved our management of pricing risk as the contractor is responsible for the cost of contamination in our recyclables and the pricing changes for this product, which can be volatile because of how the market operates. This means we can now budget the cost of the service with more certainty which is advantageous to our efforts to limit price increases.

The contract was also an opportunity to achieve some cost savings to Council due to the economies of scale of the larger operations and market competition.

The contract includes key performance indicators and other terms to ensure the contractor achieves the service levels required. Our organics collection service has been collected by a contractor for many years and accordingly we are experienced at creating and managing a suitable contract. Our customer management for this service will still be provided by internal Council staff to ensure any community concerns or requests are dealt with by Council and not referred to the contractor.

All of the impacted staff were offered an option to continue working in our waste management team, transfer to another section of Council, join the new contractor or receive a voluntary redundancy. We are very pleased that a number of staff decided to stay employed by Council.

Staff employed by Council work under a State Industrial Award. Those staff that elected to work for the contractor would be employed under the Federal Fair Work legislation.

The staff that decided to stay with the waste management team are assisting at our recovery centre and these resources are improving the amount of recyclable materials we are able to divert from landfill.

#### **Attachment(s)**

Nil

**8.9 Business With Notice - Cr Bruem - Street Tree Planting - Annual Budget**

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**8.9 Business With Notice - Cr Bruem - Street Tree Planting - Annual Budget**

Cr Bruem has asked for the members of the A Ward Committee to be advised of Council's commitment to double the annual budget for Council's street tree planting program.

Staff Comment

Council adopted a resolution in April 2022, which approved a doubling of the budget for street tree planting, from \$20,000 in 2021/22 to \$40,000 as follows:

2022/23	\$25,000
2023/24	\$30,000
2024/25	\$35,000
2025/26	\$40,000

Further information on the details of the street tree planting program is available from Council's Manager Open Spaces.

**Attachment(s)**

Nil

**8.10 Business With Notice - Ballina Lighthouse & Lismore Surf Lifesaving Club - Ballina Indoor Sports Centre (BISC) Airconditioning Issues**

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**8.10 Business With Notice - Ballina Lighthouse & Lismore Surf Lifesaving Club Ballina Indoor Sports Centre (BISC) Airconditioning Issues**

Therese Crollick raised the airconditioning issues at the BISC. A coach who ran basketball / netball programs during the holidays at the BISC claims it is very hot on the courts there and that the fans / cooling system in place inadequate during summer, the girls were really hot and had to keep stopping so they could use cold towels etc. The coach was quite concerned about them as some of the girls were only 8 or 9 and there was a real risk of heat stress. Can Council investigate this issue and improve the current cooling system in this area of the BISC.

Staff Comment

The extraction fans were installed at the BISC last year and evacuate the air in the courts approximately 6 times per hour when on.

We have had some extraordinarily humid weather this summer which hasn't helped the situation in the court area as the humid air is drawn into building.

To air condition the two courts would be extremely expensive to install and maintain, and would also use a large amount of energy, and this would have to have a large impact on the current hire rates.

The services staff will continue to look at other ways to alleviate the problem.

**Attachment(s)**

Nil

**8.11 Business With Notice - Ballina Lighthouse & Lismore Surf Lifesaving Club  
- Surf club - Reserve Access / Parking Issues around Surf Club**

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**8.11 Business With Notice - Ballina Lighthouse & Lismore Surf Lifesaving Club  
- Surf club - Reserve Access / Parking Issues around Surf Club**

Therese Crollick thanked Council staff for blocking off the access near the storage shed / gym, however people are now driving up the footpath from the carpark to park on the grass area outside the clubhouse (the emergency vehicle / Council vehicle access area). Patrol witnessed it on Australia Day, a couple (young) and their family who took up the whole of the front and side of the clubhouse with their bbq etc and told us they "didn't want to carry all their gear from the carpark". Jo has also recently seen a car parked in this area during the day which was not a Surf Lifesaving / Council / emergency vehicle. Bollards or sandstone blocks to block off access from the car park may be necessary, although it will be difficult because due to the disabled access including the ramp from the disabled parking spots.

Staff Comment

Reserve access has been referred to Council's Open Spaces Section for review.

**Attachment(s)**

Nil

**8.12 Business With Notice - St Vincent de Paul - Leases on Pod Locations**

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**8.12 Business With Notice - St Vincent de Paul - Leases on Pod Locations**

Janet Chester would like to know the position with Shire leases on Pod locations (refer problems in other shires).

Staff Comment

Council does not have information on the leases and the terms for the Wardell or Ballina pod village sites. These are not on Council owned or managed land.

The pod village at Wollongbar is subject to a lease with Council. The lease has a current expiry date of April 2025.

**Attachment(s)**

Nil

### **8.13 Business With Notice - St Vincent de Paul - Removing Cut Vegetation**

### **8.13 Business With Notice - St Vincent de Paul - Removing Cut Vegetation**

Janet Chester raised how Ballina Council exhorts ratepayers to pick up mulch from lawn mowing to avoid pollution of waterways and blocking of drains (see advice in "Ballina Wave"), yet it mows without any collection, on open stormwater drains, tidal drains, hinterland road verges, parks. Is Council's mowing a big contributor to this pollution, drain blockage and flash flooding everywhere?

#### **Staff Comment**

Given the significant scale of park and roadside vegetation management undertaken throughout the Shire, it is not practical or sustainable to collect cut material for disposal. Consistent with the practices of other councils and land managers, regular mowing and frequent maintenance assists in reducing the accumulation of residual organic material and its migration into the stormwater network.

#### **Attachment(s)**

Nil



9. Business Without Notice

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**9. Business Without Notice**

Nil Items

## **10.1 Council Documents on Exhibition**

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### **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](#)

##### **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
  - 12 Meeting Closure
- 

**11. Next Meeting / Future Meeting Dates**

Next meeting is scheduled for Tuesday, 14 May 2024 at 4:00 PM.

**12. Meeting Closure**