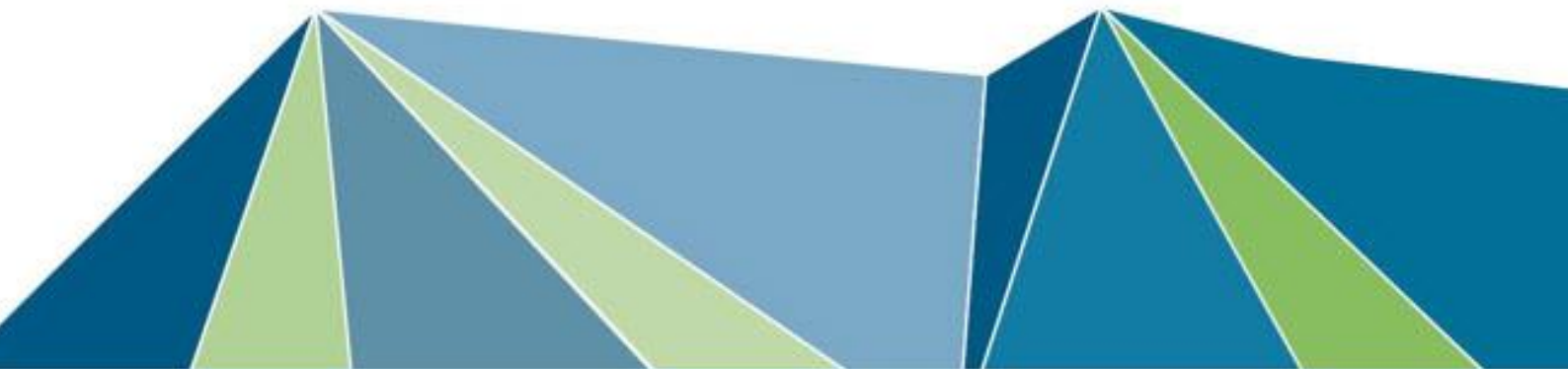


# Agenda

## ***B Ward Committee Meeting*** **18 March 2024**

A B Ward Committee Meeting will be held in the Ballina Shire Council Chambers, 40 Cherry Street, Ballina on **18 March 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, 20 November 2023
6. Business Arising from Minutes - Monday, 20 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



## Table of Contents

1.	Acknowledgment of Country .....	3
2.	Attendance and Apologies (including updates/changes in membership).....	3
3.	Declarations of Interest.....	3
4.	Presentations .....	3
5.	Confirmation of Minutes.....	3
6.	Business Arising from Minutes.....	4
6.1	Business Arising from Minutes of 20 November 2023 - Ward Boundary Changes	4
7.	General Business .....	5
7.1	Raising Items Prior to Meetings and Reporting Safety Matters	5
7.2	Public Interest Disclosures Act	6
7.3	Ward Committees - Meeting Dates - September 2024 Election	8
8.	Business With Notice.....	9
8.1	Business With Notice - Lennox Chamber of Commerce - Pat Moreton Precinct - Car Park and Shared Path	9
8.2	Business With Notice - Lennox Chamber of Commerce - Relocation of RFS and New Car Parking	10
8.3	Business With Notice - Lennox Chamber of Commerce - Highway Signage on M1 Motorway	12
8.4	Business With Notice - Lennox Head Residents Association - Request for E-Bike Education Program	13
8.5	Business With Notice - Lennox Head Residents Association - Commemorative Plaque - Ross Park	15
9.	Business Without Notice.....	16
10.	Council Documents on Exhibition .....	17
10.1	Council Documents on Exhibition	17
11.	Next Meeting / Future Meeting Dates .....	18
12.	Meeting Closure .....	18

**DISCLAIMER ©NSW Spatial Services 2024. Although all care is taken in the preparation of plans within Council's business paper (both agendas and attachments), Ballina Shire Council accepts no responsibility for any misprints, error, omissions or inaccuracies. The information contained within each plan is for pictorial representation only and not to scale. Accurate measurements should be undertaken by survey.**

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 20 November 2023 were distributed with the agenda.

**RECOMMENDATION**

That the Committee confirms the Minutes of the B Ward Committee Meeting held on Monday 20 November 2023.

**6.1 Business Arising from Minutes of 20 November 2023 - Ward Boundary Changes**

---

**6. Business Arising from Minutes**

**6.1 Business Arising from Minutes of 20 November 2023 - Ward Boundary Changes**

**Item 9.2 Ward Boundary Changes**

Kay Okley asked if a letter could be sent to the Cumbalum Residents Association advising of the change in ward committee membership for them.

Update

A letter was forwarded to the Cumbalum Residents Association on 28 November 2023 advising of the change in Ward boundaries.

The Cumbalum Residents Association responded advising that they wished to change representation from the B Ward Committee to the A Ward Committee. Council approved this request at its Ordinary meeting on 14 December 2023. The Association was thanked for their participation on the B Ward Committee.

**Attachment(s)**

Nil

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

---

### **7. General Business**

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

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

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

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

Nil

## 7.2 Public Interest Disclosures Act

---

### 7.2 Public Interest Disclosures Act

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

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

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

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

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

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

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

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

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

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

## 7.2 Public Interest Disclosures Act

---

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

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

### Attachment(s)

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

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

---

#### **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 6pm 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 B Ward Committee likely to be actively involved in pre-polling (if running again), direction is needed from the Ward Committee as to how they would like to see the September 2024 meeting managed.

Options are:

- 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 three weeks earlier to avoid pre-polling (ie: Monday 26 August 2024).

The Ward Committee's preference is now sought.

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

Nil



**8.1 Business With Notice - Lennox Chamber of Commerce - Pat Moreton Precinct - Car Park and Shared Path**

---

**8. Business With Notice**

**8.1 Business With Notice - Lennox Chamber of Commerce - Pat Moreton 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 ASAP.

In 2020, \$100,000 was allocated to the project under the Car Parks – Upgrade Program. In October 2021 council voted for Option 1 as the preferred design.

What is the cause of the delay of this long overdue project? The Lennox Chamber seeks an update on funding and timeframes for this project.

**Staff Comment**

The funds allocated in 2020 were deferred so that the works could be more efficiently delivered under the proposed full upgrade program.

We continue to look for grant opportunities for this work as the project has not been allocated funding in the Long Term Financial Plan.

The Long Term Financial Plan will be considered again by the elected Council at upcoming Finance Committee Meetings.

**Attachment(s)**

Nil

**8.2 Business With Notice - Lennox Chamber of Commerce - Relocation of RFS and New Car Parking**

---

**8.2 Business With Notice - Lennox Chamber of Commerce - Relocation of RFS and New Car Parking**

The Lennox Chamber is seeking an update on when the relocation of the RFS will be complete and a start on the new carparking project (on the existing site) will commence?

Further, we'd like to request a copy of the design plans for the new carparking project (on the existing site).

Staff Comment

We are currently assessing tenders for this work and expect to award a contract over the next few weeks.

A copy of the car park design is shown below.

## 8.2 Business With Notice - Lennox Chamber of Commerce - Relocation of RFS and New Car Parking



Attachment(s)

Nil

### **8.3 Business With Notice - Lennox Chamber of Commerce - Highway Signage on M1 Motorway**

---

#### **8.3 Business With Notice - Lennox Chamber of Commerce - Highway Signage on M1 Motorway**

Lennox Chamber welcomes council inclusion of a \$30k funding source (2023/24 Delivery Plan) for the application and installation of tourism signage on the motorway. Wardell, Ballina and Alstonville / Wollongbar all now have bypass signage. Lennox is competing with other coastal towns for tourism and many of these other destinations all now have highway signage. Highway signage will help our small businesses in town.

Is a formal application to Destination NSW underway and updated cost estimates obtained? What is the status of this project please and can the Chamber assist in any way?

#### **Staff Comment**

Ballina Shire Council has received approval from the Destination NSW Visitor Attraction Signposting Application to proceed with the installation of highway signage in the 'Seaside Town or Village' category (white on brown). The Council's Sign Advisory Group has submitted its preferred design to Transport for NSW. Presently, we await confirmation of both the design and installation costings.

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

Nil

#### **8.4 Business With Notice - Lennox Head Residents Association - Request for E-Bike Education Program**

---

#### **8.4 Business With Notice - Lennox Head Residents Association - Request for E-Bike Education Program**

Due to the proliferation and use of E-bikes especially in Lennox Head, LHRA sees the need for an education program be introduced via BSC publications, schools and social media outlets to advise owners and riders of the regulations in force regarding the ownership, use and modification of e-bikes.

Since the completion of the Lennox Village Vision beautification and the levelling of footpaths in Ballina Street between Park Avenue and Byron Street, bicycle and e-bike riders now believe that these footpaths are a shared pathway, to the detriment of pedestrians, shoppers and diners at restaurants with outdoor facilities. Inevitably there will be a collision involving a cyclist and pedestrian on the footpaths on either side of Ballina Street. To ensure safety of cyclists and pedestrians consideration should be given to a program to make the footpaths in this area a bicycle free zone.

#### Staff Comment

Over December 2023 and January 2024, Council received community feedback expressing concern over illegal motorcycle use, illegal modifications to e-bikes and dangerous bike riding, particularly within Lennox Head. The issue of e-bikes was discussed at the recent Local Traffic Committee meeting (14 February 2024). At the meeting, police reported that they would be undertaking enforcement operations to ensure compliance with e-bike regulations, and would be preparing an education campaign, notably targeting local schools. Council has drafted information for community education around e-bikes for publication in the Community Connect, on the council website and social media, and as a possible flyer. The draft has been forwarded to police to ensure consistent messaging, and the police are seeking clarification from their Operational Legal Service on their position. In the interim, council is distributing an informational brochure produced by Transport for NSW/ Centre for Road Safety regarding 'Bikes, e-bikes and e-scooters'. The document has also been uploaded to Council's website (on the Cycling & Walking page).

A more intensive community education response is preferred prior to any consideration of implementing a cycling ban. Under the road rules, generally, it is illegal to ride on a footpath. However, if you are under 16 years old, or if you are 16 years old or older and supervising a child riding a bike under 16 years old, you may ride on a footpath. A ban on all cycling would, therefore, only have a new legal impact on child riders and/or their supervising adults. This proposal would need to be considered carefully, taking into consideration the following:

- whether other wheeled recreational devices (such as scooters and skateboards) would be included in the ban,
- the impact on young children using active transport to get to Lennox Public School and the function of Lennox CBD as a significant travel route,
- whether a ban on bikes and other wheeled recreational devices in Lennox Head CBD would precipitate an extension of this ban to other towns and villages in the Shire for consistency.

#### **8.4 Business With Notice - Lennox Head Residents Association - Request for E-Bike Education Program**

---

The option to ban all bike riding on footpaths in the CBD would require a change in regulation, approval from the Local Traffic Committee, and installation of approved signage and bike parking at all town entry points. Community consultation and a movement study would also be required. As a preliminary step, regulatory opinion on this issue is currently being sought from Transport for NSW.

Council recognises that the footpaths in town centres and CBDs are very busy pedestrian areas. We encourage all riders to dismount and 'walk you wheels'. To support this, we are currently preparing some 'walk your wheels' etiquette signage.

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

Nil

**8.5 Business With Notice - Lennox Head Residents Association - Commemorative Plaque - Ross Park**

---

**8.5 Business With Notice - Lennox Head Residents Association - Commemorative Plaque - Ross Park**

Replacement of the commemorative stone and plinth giving the story of Thomas Ross for whom the park was named in Ross Park.

Now that the work in Ross Park has been completed when will the stone and plaque be replaced?

**Staff Comment**

There were five plaques removed from Ross Park and Lennox Head CBD during the upgrade works. The plaques consisted of:

- Tidy Towns – 1985
- Tidy Towns – 1984
- Official opening of Lennox Head Beach Management Works – 1993
- Official opening of Ballina – Lennox Head Water Supply Scheme - 1988
- Lennox Head Water Supply – ‘mark of appreciation for the initial efforts of Cr Tom Ross in obtaining a water supply’ 1968

We do not propose on reinstating these plaques in the public domain as they are no longer relevant. The infrastructure they are commemorating has been superseded progressively with new infrastructure. The Tidy Towns program concluded many years ago and these plaques have been progressively removed.

Council however will be installing a new plaque at Lennox Park, within the shelter Shed, commemorating the 2022 Lennox Centenary; 100 years since the town was named.

**Attachment(s)**

Nil

9. Business Without Notice

---

**9. Business Without Notice**

Nil Items



## **10.1 Council Documents on Exhibition**

---

### **10. Council Documents on Exhibition**

#### **10.1 Council Documents on Exhibition**

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

#### **Documents on Exhibition and Community Consultation**

- Ballina Shire Housing Strategy – closing date 15 March 2024

#### Policies

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

#### **Council Notices**

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

[Link to Council's Notices](#)

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

Nil

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

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

Next meeting is scheduled for Monday 20 May 2024 at 4:30pm.

15 July  
16 September  
18 November

**12. Meeting Closure**