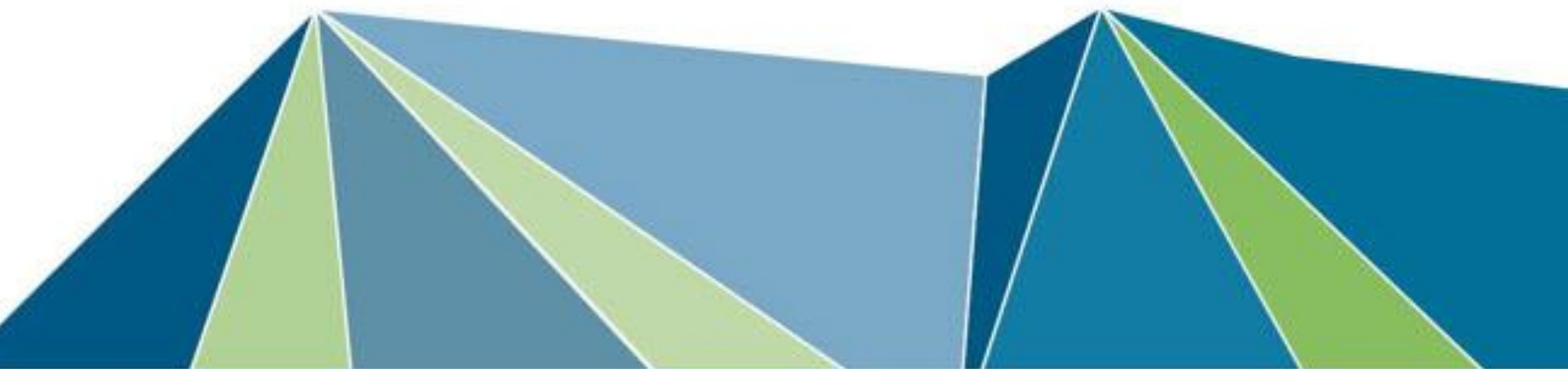


# Agenda

## ***B Ward Committee Meeting*** **17 March 2025**

A B Ward Committee Meeting will be held in the Ballina Shire Council Chambers, 40 Cherry Street, Ballina on **17 March 2025 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, 18 November 2024
6. Business Arising from Minutes - Monday, 18 November 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 18 November 2024 was distributed.

**RECOMMENDATION**

Minutes of the B Ward Committee Meeting held on Monday 18 November 2024 be confirmed.

**6.1 Business Arising from Minutes of 18 November 2024 - Lennox Head Landcare - Lennox Head Foreshore Fencing**

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**6. Business Arising from Minutes**

**6.1 Business Arising from Minutes of 18 November 2024 - Lennox Head Landcare - Lennox Head Foreshore Fencing**

**Item 8.2 – Lennox Head Foreshore Fencing**

Gary Patterson addressed the meeting on behalf of Lennox Head Landcare. Garry noted that the investment in beautification of Lennox Head village did not include upgrading beach access, except for Ross Park and in front of the toilets. It was noted that the fencing between Lake Ainsworth and Dress Circle Drive does not match the style and standard of the main street.

It was proposed that Council conduct a dilapidation survey and create design options for locals to consider.

Matt Wood noted that there are several avenues where Council can consider the matters raised including:

- An audit of koppers log fencing in the Shire has been undertaken by staff and various fencing removed or repaired based on a risk assessment. This is an ongoing program as resources permit.
- Council is looking at options for provision of improved pedestrian access between Lake Ainsworth and Lennox Head's village centre. Beach access, fencing and environmental outcomes are key considerations in this process (which is in its early stages and scope and outcomes are not yet confirmed).
- Council is undertaking design and planning to examine provision of beach access for persons with a disability near the surf club at Lake Ainsworth. A coastal hazard assessment is the next step in this process.

**Staff Comment**

Koppers log fencing throughout the shire has been further reviewed for repair and replacement. Works on the Lennox Head foreshore in the village centre area and north to Lake Ainsworth are currently not planned noting a number of other areas in the shire have been prioritised for repair works within available resources.

Fencing at Rutherford Street near the boat channel has been identified for further inspection and removal and/or repair as required. Timing for this work has not yet been confirmed and will be determined relative to needs in other areas.

**Attachment(s)**

Nil

**6.2 Business Arising from Minutes of 18 November 2024 - Lennox Residents Association - Shared Zone Signage - Rayner Lane**

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**6.2 Business Arising from Minutes of 18 November 2024 - Lennox Residents Association - Shared Zone Signage - Rayner Lane**

**Item 9.1 - Shared Zone Signage - Rayner Lane**

Geoff Wegg raised that there is a lack of signage on Rayner Lane (when turning from Ballina St into Rayner Lane to travel south) and that the structure of road deteriorates at the end of shared zone sign.

It was noted that there is nothing at the start of the Lane to indicate the shared zone. It was suggested that Council install a start of shared zone and 10km/hr limit sign, and that the rebuilding of Rayner Lane be included in future development plans under the DPOP.

**Staff Comment**

An update will be provided at the meeting.

**Attachment(s)**

Nil

## **7.1 Membership Update - B Ward Committee**

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### **7. General Business**

#### **7.1 Membership Update - B Ward Committee**

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

Further to the report in November 2024, Council called for expressions of interest for further membership, in case there were any additional community based groups interested in joining the ward committees.

The expressions of interest (EOI) closed on 10 February 2025. All EOIs were reported to the elected Council for endorsement at the Ordinary meeting on 27 February 2025.

The following is a list of new B Ward members:

- Lennox Head Chess Club Incorporated
- Tuckombil Landcare (Tuckombil Landcare is also an existing member of C Ward)

In accordance with Council practice, the following organisations were removed from the Committee due to their non attendance in over 12 months:

Nil.

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

Nil

## **7.2 Business With Notice - Ward Committees Terms of Reference**

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### **7.2 Business With Notice - Ward Committees Terms of Reference**

At the 27 February 2025 Ordinary meeting Council endorsed draft Terms of Reference for the Ward Committees. A copy of the Ward Committee Terms of Reference is provided below.

#### **Ward Committee – Terms of Reference**

##### **Purpose**

*To provide Council with feedback and policy advice on matters referred by Council, or raised by members on behalf of the community, and to facilitate communication between Council and community.*

##### **Scope**

- Enable community groups to seek information from Council
- Provide information to community groups on matters of interest
- Enhance communication between Council and community groups
- Provide an overview of Council priorities and projects

##### **Objectives**

- Strengthen community engagement
- Facilitate two-way communication
- Enhance community wellbeing
- Increase community awareness of Council activities

##### **Membership**

Ward Committee membership is reported to the Council for approval. Members must be community (not-for-profit) organisations based in either A, B or C Ward of the Ballina Shire. Membership includes the elected Councillors who represent that Ward, as well as the Mayor.

Council staff prepare the agenda, and attend the meetings to provide guidance, answer questions and record the minutes. Non-attendance for a period of 12 months will result in Council writing to the member seeking confirmation as to whether they wish to remain on the Committee. No response will result in termination of the member's eligibility of the Committee.

##### **Meetings, Agendas, and Reporting**

Ward Committees meet five times a year in March, May, July, September, and November, typically as follows:

- A Ward – on the second Tuesday at 4.00pm
- B Ward – on the third Monday at 4.30pm
- C Ward – on the second Thursday at 5.00pm

Meeting times can be varied by consensus of the members. The agenda for each meeting is issued prior to the meeting and minutes are recorded detailing the agreed outcomes. Agenda items will be called for prior to the meeting (development applications under assessment will not be tabled). Minutes are circulated to members of each committee.

Matters that have been considered and addressed previously through a committee will not be relisted on meeting agendas, and will only be considered as items without notice, where in the view of the Chair, it is reasonable to allocate meeting time to again consider the matter.

##### **Chair**

Ward Councillors will chair meetings, with the Chairing to be shared equally during the Council term, unless otherwise agreed by the Ward Councillors.

##### **Delegated Authority and Voting**

Ward Committees have no delegated authority and recommendations should be made by consensus. Voting can take place where there is no consensus. The staff member responsible for preparing the agendas and minutes will follow up on all recommendations, with matters requiring a decision from the elected Council, to be reported to Council.

##### **Review**

The Terms of Reference will be reviewed after each local government election or as required.

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

Nil

**8.1 Business With Notice - Lennox Head Chess Club and Northern Rivers Chess Association - Report Introducing Lennox Head Chess Club (LHCC)**

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**8. Business With Notice**

**8.1 Business With Notice - Lennox Head Chess Club and Northern Rivers Chess Association - Report Introducing Lennox Head Chess Club (LHCC)**

Jim Gilchrist, President Lennox Head Chess Club and Northern Rivers Chess Association, introduced the Lennox Head Chess Club (LHCC).

**Staff Comment**

Refer to Membership Update – B Ward Committee, the Lennox Head Chess Club Incorporated submitted an expression of interest to the elected Council and was endorsed as a new member at Council's Ordinary meeting held on 27 February 2025.

**Attachment(s)**

Nil



**8.2 Business With Notice - Lennox Head Residents Association - Water Reservoir on Stoneyhurst Drive Lennox Head**

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**8.2 Business With Notice - Lennox Head Residents Association – Water Reservoir on Stoneyhurst Drive Lennox Head**

Geoff Wegg raised that the water reservoir on Stoneyhurst Drive, Lennox Head needs landscaping as the area is overgrown and very untidy.

Staff Comment

Customer Request 147071/2025 was created to request an inspection of the Water Reservoir at 2 Sunray Crescent (cnr Stoneyhurst Drive) for mowing/vegetation maintenance and noting the landscaping suggestion.

Staff will attend to this inspection as part of their work program.

**Attachment(s)**

Nil

**8.3 Business With Notice - Lennox Head Residents Association - Increase in dogs on the beach - Boat Channel and Bream Hole areas**

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**8.3 Business With Notice - Lennox Head Residents Association - Increase in dogs on the beach - Boat Channel and Bream Hole areas**

Geoff Wegg raised concerns about the increase in the number of dogs on the beach at the Boat Channel and the Bream Hole areas, especially during the holiday season.

Staff Comment

The Boat Channel and Bream Hole are dog “no go” areas. Rangers conduct routine patrols of these and other areas and patrols are increased during the summer holiday period. Patrols will continue noting the feedback above.

Unfortunately people continue to take dogs to prohibited areas, and Rangers cannot always be on site to monitor these situations.

If members of the community report concerns such as dogs in dog “no go” areas, when possible and depending on other work tasks, Rangers may respond with a site visit. Fines and warnings are issued where warranted.

Rangers have a range of competing demands in their roles, including monitoring school zones, and attending to stock on roads, dog attacks, illegal camping, illegal dumping, overgrown land, and call outs to assist police.

**Attachment(s)**

Nil

**8.4 Business With Notice - Lennox Head Residents Association - Concerns about toilet amenities near Lake Ainsworth and illegal camping**

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**8.4 Business With Notice - Lennox Head Residents Association – Concerns about toilet amenities near Lake Ainsworth and illegal camping**

Geoff Wegg advised of reports from members of FOLA (Friends of Lake Ainsworth) regarding the amount of human waste outside the toilet block at the caravan park and also noted concerns about illegal camping in the area.

Staff Comment

Council's amenities have been inspected and will be monitored in relation to the above.

Council does not manage the amenities block located within the Reflections caravan park. Concerns relating to this facility can be directed to Reflections park management.

The amenities adjacent to the surf club are currently being renovated and are not available for public use.

Council cleaning staff commence cleaning of Council's public amenities around 4am daily. Cleaning around Lake Ainsworth is typically conducted early in the morning and occurs once a day based on available resources.

Unfortunately, there is not currently operational capacity to increase the cleaning of these amenities.

With respect to camping in public areas, it is important to distinguish between homelessness and transient travelers stopping in the area typically for a day or two.

The fact sheet below provides information on Council's approach to homelessness.

## 8.4 Business With Notice - Lennox Head Residents Association - Concerns about toilet amenities near Lake Ainsworth and illegal camping



### HOMELESSNESS IN BALLINA SHIRE

Ballina Shire Council acknowledges community concern regarding homelessness in the region.

It is important to acknowledge that there is often a significant difference between general illegal camping and homelessness. For many years, local Councils have patrolled and managed issues related to illegal camping, particularly in vehicles such as camper vans. Under the *Local Government Act 1993*, it can be considered an offence to camp within public reserves and not comply with notifications. However, managing this situation becomes more complicated when individuals experiencing homelessness set up tents or similar structures, which may be their temporary shelter.

There has been an increase in recent months in the number of people experiencing homelessness in the Ballina Shire. This is presenting significant challenges for Council, local service providers, the community, NSW Police and state agencies involved in community support, housing, health and other services.

#### WHAT IS HOMELESSNESS?

Homelessness can be defined not only by the absence of physical shelter but by the lack of essential elements of a 'home', including security, stability, privacy, safety, and control over living space.

#### COUNCIL'S ROLE IN ADDRESSING THE ISSUE

In line with the *NSW Protocol for Homeless People in Public Places*, local councils and other agencies are expected to adopt a coordinated and compassionate approach when managing homelessness in public spaces. This protocol applies to public places such as parks, streets, and vehicles parked on public roads, but it does not cover private property. It is important to note that people experiencing homelessness have the same rights as any other member of the public, including the right to be in public places, participate in public activities, request or decline support or assistance and manage their own belongings.

It is not an offence to be homeless, and often these individuals face unique and varied challenges. They may also have companion animals with them for support and safety.

The Protocol does not override existing laws or regulations and does not prevent Council or the police from taking appropriate action when health or safety concerns arise.

Council is working proactively with NSW Police, NSW Department of Communities and Justice (DCJ), NSW Health and other support agencies and groups to provide a coordinated approach to the homelessness issue in the Shire.

#### WHAT IS COUNCIL DOING?

- Rangers conduct routine patrols of areas known to be occupied by homeless people to offer assistance and to manage companion animal concerns, rubbish accumulation and general public safety.
- Council is reviewing available resources that can be directed to focus on homelessness matters.
- Supporting DCJ in the annual Street Council to gain a data snapshot on people experiencing homelessness across Northern NSW. This data will inform the targeting of housing and homelessness approaches and resources needed in our area.

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ABN 539 29 867 369

## 8.4 Business With Notice - Lennox Head Residents Association - Concerns about toilet amenities near Lake Ainsworth and illegal camping

- Working with support agencies to expand programs to support homelessness, and where willing, transition people into temporary accommodation and then more permanent accommodation.
- Regular and ongoing meetings with the NSW Police to identify how we can work collaboratively to address community concerns around homelessness and antisocial behaviour, illegal drug use, and public safety concerns. The Police remain the primary authority for reports of theft, violence, aggressive behaviour and or drug and drug related matters.
- Council, Police and local community service organisations are working closely to balance law enforcement with compassion, ensuring that individuals are connected with support services when needed.
- Reviewing signage in reserve areas to ensure it is clear and up to date. In cases where it is deemed necessary, Police can issue a "move on" direction.
- Developing a resource brochure and webpage for people experiencing homelessness, providing them with information about available local services for health, housing, and more. We are also working to improve educational materials for the wider community to better understand homelessness and the Council's role in managing this complex issue.
- Engaging with NSW Health to implement best practices for sharps management and outreach to homeless individuals to support education on syringe and needle management.
- Writing to Local Government NSW, Office of Local Government and Federal Government to provide feedback on the operation and content of the current protocol for homeless people in public places and to seek further support.
- Council is also aware that Member for Ballina Tamara Smith MP has recently raised in Parliament the need to focus on addressing the homelessness crisis in Ballina.

Homelessness is a complex issue and is not unique to our Shire. It is being experienced by other local councils, particularly in coastal areas, across NSW and Australia.

Council appreciates the community's understanding and patience as we continue to address these issues. The Council, together with support agencies and local services, is doing everything within available resources to manage the complexities of homelessness.

We kindly ask that the community continues to show respect to our staff, particularly the Rangers, as they work on the front lines of this important issue. We understand that some community members may feel frustrated and that some community expectations may not be met, but we hope that you will appreciate the difficult balance we are striving to maintain between enforcement and compassion.

### FOR FURTHER INFORMATION OR TO REPORT AN ISSUE

- Call 000 immediately if someone is seriously injured, in need of urgent medical help, or an immediate risk to themselves or others.
- Call Ballina Police on 02 6681 8699 for non-urgent incidents, crimes or police enquiries.
- Call Ballina Shire Council Rangers on 02 6686 1210 or for any public access or environmental and public health concerns email [eho.admin@ballina.nsw.gov.au](mailto:eho.admin@ballina.nsw.gov.au)
- Visit [www.ballina.nsw.gov.au](http://www.ballina.nsw.gov.au) next week for a link to the new Homelessness in Ballina Shire online resource.

Published 26 February 2025

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ABN 539 29 867 369

### Attachment(s)

Nil

**8.5 Business With Notice - Lennox Head Residents Association - Enquiry about Council's herbicide use policy**

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**8.5 Business With Notice - Lennox Head Residents Association – Enquiry about Council's herbicide use policy**

Geoff Wegg enquired about Council policy in relation to the use of herbicides containing glyphosates (Roundup).

Staff Comment

Council utilises herbicides and pesticides in accordance with adopted policy, applicable legislation and in accordance with the Australian Pesticides and Veterinary Medicines Authority (APVMA). The APVMA is the regulatory authority within Australia for such chemical use and Council is guided by the regulatory requirements for herbicide and pesticide use.

Chemical applications are undertaken by trained staff in accordance with manufacturer's instructions and safety requirements.

Further information can be viewed at [Weeds | Ballina Shire Council](#)

## 8.5 Business With Notice - Lennox Head Residents Association - Enquiry about Council's herbicide use policy

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**POLICY NAME:** PESTICIDE USE  
**POLICY REF:** P04A  
**MEETING ADOPTED:** 24 April 2024  
Resolution No. 240424/9  
**POLICY HISTORY:** 281119/27; 230715/22; 251110/25;  
231106/038



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### OBJECTIVES

The objectives of the Ballina Shire Council Pesticide Use Policy are to:

- maintain public health and safety within Ballina Shire
- reduce weeds and their impact from public areas
- reduce pests and their impact from public buildings
- minimise environmental pollution
- inform the public of pesticide use
- minimise the cost and use of pesticides where possible.

### POLICY

This Policy covers all pesticide use by Council staff, contractors, Rous County Council and community members to ensure that such activity is safe to all persons and the environment and effective in pest control.

## 8.5 Business With Notice - Lennox Head Residents Association - Enquiry about Council's herbicide use policy

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Ballina Shire Council

(REVIEW) Pesticide Use

### 1.1 Responsibility for Pesticide Applications

It is the responsibility of Council to ensure that all pesticide applications are only undertaken by authorised and qualified persons.

### 1.2 Pesticide Regulation

Pesticide use must comply at all times with the Pesticide Regulation 2017 and other listed legislation. This is to include for the purposes of managing qualifications, safety, usage and recording.

Pesticide use must comply with Council's Pesticide Use Notification Plan at all times. This is for the purpose of notifying members of the community regarding pesticide use.

### 1.3 Pesticide Procurement

Pesticide use must comply with Council's Chemical Procurement Procedure at all times. This is to include for the purposes of managing the acquisition, storage, handling and disposal of pesticides.

### 1.4 Personnel Safety and Protective Equipment

Council shall supply the necessary facilities and equipment to allow the pesticide user to undertake their responsibilities with pesticides in a safe and healthy manner and to comply with the requirements of AS 2507 The Storage and Handling of Agricultural and Veterinary Chemicals.

Where required, Council will undertake a health monitoring program of authorised pesticide users.

### 1.5 Roadside Pesticide Free Areas

Landholders may apply to maintain adjacent roadsides as pesticide free areas. The requirements are outlined in the Roadside Pesticide Free Area fact sheet.

### 1.6 Use of certain pesticides including neonicotinoids, friponil and diazinon

The Australian Pesticides and Veterinary Medicines Authority (APVMA) is currently undertaking a chemical review of neonicotinoids, Friponil and Diazinon.

The use of these pesticides continues to be permissible during the review period, however, under this policy, these pesticides will only be considered for use in circumstances where the application is required to address an essential public interest and no other alternative treatment is feasible. The General Manager's approval (or an appropriate senior officer delegate) will be required prior to any use. An example of a circumstance of when the use of these pesticides may be warranted is to manage a biosecurity or other ecological risk.



## 8.5 Business With Notice - Lennox Head Residents Association - Enquiry about Council's herbicide use policy

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### BACKGROUND

Ballina Shire Council manages an extensive and diverse range of public places that includes but is not limited to public reserves, road reserves, footpaths, cycle paths, bushland reserves, gardens, public buildings, playgrounds and operational lands.

Council has a responsibility to manage these areas to provide for:

- a broad range of active and passive recreation opportunities for a diverse range of user groups, community members and visitors across the shire
- conservation of places of natural, cultural and heritage value
- public and visual amenity
- the delivery of council services and maintenance.

Across all these land uses, weed and pest control programs are a management priority for Council and pesticides are an essential component of many of these programs. Pesticide use is about balancing public safety against the benefits pest and weed control provide, to ensure the best outcome.

### DEFINITIONS

<b>Authorised Person</b>	is a person authorised to undertake pesticide applications on behalf of Council, and is qualified as per the Pesticide Regulation 2017 in the safe use of chemicals, and can consist of Council staff, contractors, Rous County Council and volunteers.
<b>Pest</b>	an unwanted biological entity; including animal, plant and microbe
<b>Pesticide</b>	a chemical (or mixture of chemicals) intended to be used for the selective control of pests. Pesticide does include chemicals used for the control of pests in buildings, in air systems, and in water systems. Pesticide also includes insecticides, herbicides, fungicides, algaecides, rodenticides and molluscicides.
<b>Pesticide Application</b>	is the dispersal of a pesticide over a target area or volume.
<b>Pesticide Operation</b>	includes any or all of the processes of pesticide acquisition, storage, mixing, application (including supervision of an application undertaken by a private pest control firm), and disposal.

### SCOPE OF POLICY

This policy applies to:

- Council or Crown employees
- Councillors
- Community volunteers
- Person conducting a business or undertaking (PCBU's), Contractors
- Lessees or licensees of Council or Crown premises
- Rous County Council.

## 8.5 Business With Notice - Lennox Head Residents Association - Enquiry about Council's herbicide use policy

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Ballina Shire Council

Pesticide Use

### RELATED DOCUMENTATION

#### Legislation

- Biosecurity Act 2015
- Pesticides Act 1999
- Pesticides Regulation 2017
- Work Health and Safety Act 2011
- Work Health and Safety Regulations 2011

#### Australian Standards

- **AS 2476:** General Fumigation Procedures
- **AS 2507:** The Storage and Handling of Agricultural and Veterinary Chemicals.
- **AS 1940:** The Storage and Handling of Flammable and Combustible Liquids

#### Codes of Practice

- WorkCover NSW Code of Practice: Safe Use of Pesticides Including Herbicides in Non-Agricultural Workplaces
- WorkCover NSW Code of Practice: Managing Risks of Hazardous Chemicals in the Workplace
- WorkCover NSW Code of Practice: Labelling of Workplace Hazardous Chemicals
- WorkCover NSW Code of Practice: Safe Use and Storage of Chemicals (Including Pesticides and Herbicides) in Agriculture

#### Ballina Shire Council Procedures/ Policies

- Pesticide Use Notification Plan
- Chemical Procurement Procedure

### REVIEW OF POLICY

The Pesticide Use Policy will be reviewed every four years.

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Page 4 of 4

Policy No. P04A

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

[Your Say Ballina](#)

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

Nil

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

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

Next meeting is scheduled for Monday 19 May 2025 at 4:30pm.

**12. Meeting Closure**